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MANITOBAN special supplement

The Churchill Diversion --time runs out for the North

"Your Great Mother will lay aside for you 'lots' of land to be used by you and your children forever. She will not allow the white man to intrude upon these lots. She will make rules to keep them for you, so that as long as the sun shall shine, there shall be no Indian who has not a place that he can call his home..."

-speech by Lieutenant Governor A.G. Archibald at the beginning of negotiations for Indian Treaty I concluded at Lower Fort Garry on August 3, 1871.

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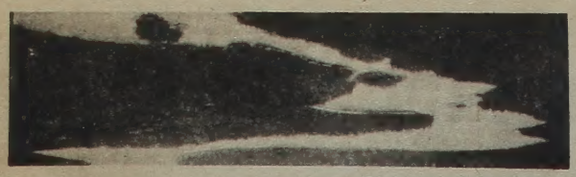


The Churchill Diversion

Neither wise nor necessary

The Churchill Diversion -- a plan to change the course of Manitoba's most northern river to provide additional water for hydro generating stations along the Nelson River.

Construction is underway in earnest. The last plug of earth between the two river systems is scheduled to be blasted out in October 1975.

The history of the project has been filled with controversy. Critics have called the plan irrational, unecessary, and destructive. Residents of northern Manitoba have launched one lawsuit to stop the flooding of their community. A coalition of eight northern communities plans another court challenge. But time is rapidly running out. A federal government threat to cut funds may make legal action impossible.

There is good reason to suspect the wisdom of the project.

The NDP defeated the Conservatives in 1969, partly because of the Tory government's plan for a damaging high level diversion. The new government changed the name of the project and a few of the details, and are now completing a project almost as damaging as the original would have been.

The people who live in the project area have been kept pretty much in the dark about all aspects of the project. They had virtually no input into the planning or the final decision to go ahead. It is only in the last year that they have discovered the effects, some potential, some certain, on their homes, communities, and way of life.

Even now the provincial government drags its heels as much as is politically possible before releasing relevant information on the Churchill project.

Impact studies were done not BEFORE but WHILE the project was actually being built. Completion date for all the studies will be December 1974. The project is due to be finished in October 1975. This is hardly time for findings to have a significant effect on the shape of development -- much less to allow for totally different alternatives that might be less damaging.

Public participation, even in the southern part of the province, has been kept ot a minimum -- and sometimes even legislated against -- by the government.

Why? Why does a government require distortions, secrecy, and underhanded political procedures to push through a project that is supposedly to the benefit of Manitobans? Who would oppose a development to our advantage? What is there to hide?

These questions are not unique to the Churchill Diversion. All across Canada -- and even more so in the US -- projects are dreamed up and executed with little advance planning, and severe ecological or long-term economic effects.

Churchill, James Bay, the Alberta tar sands, the Mackenzie Valley Pipeline -- in all these cases the people lacked the sophistication to take on a battery of politicians, lawyers and courts. Governments have thus been able, or are trying, to buy off or bamboozle any and all opposition -- at least, long enough to push the development through.

Public participation and rational planning are, it seems, avoided like the plague. There are two reasons for this state of affairs:

1)Politicians, even social democratic ones, are located in growth-oriented society; and

2)Politicians want, above all, to be re-elected.

It is far easier, in the short term, to operate within the growth framework even if the politician recognizes the dangers of such a course -- environmental degradation, increased industrializationa and attendant pollution, complexity, and alienation -- and the obvious impossiblity of perpetual growth on a finite planet.

But the politician must always remember that his constituents are not particularily interested in a stable society. Many individuals fear that they would be deprived of a chance to improve their standard of living. And in the business community (which influences campaigns through monetary contributions, vocal support, and paid publicity), stabilty is feared for the increased planning it would entail, and the subsequent reduction in unchecked profits.

But these fears are unfounded. A stable society can provide a comfortable standard of living to all, and is in fact central to our continued survival.

But for those who look ahead only as far as the next election, the sane point of view is irrelevant. Jobs have to be created, commodities have to be produced. The nature of the jobs or the commodities or their long term effects aren't important. What counts is that the economy is kept bustling. If a development assures five years of high employment and another five years of profitable power export, it is assumed good. It is the accumulation of these short-sighted, piecemeal plans that will determine the future shape of Canada.

What does this mean for Manitoba? It means that the excessive power consumption of southern Manitobans (partially encourage by Manitoba Hydro) justifies the destruction of the livelihood of Northerners who have for years lived WITHIN the means afforded by their environment.

It means that Manitoba can sell surplus summer power to the US or build uranium enrichment plants to power the nuclear reactors of Britain, France, and the United States.

All this suggests that the Churchill Diversion is not really in the best interests of all Manitobans. It is, at best, a project to increase the comfort of southern Manitobans at the expense of our northern residents.

At worst, it is a short-sighted, cowardly sell-out of our resources and our environment -- our future -- for a few million foreign dollars.

Fed gov't won't back legal action now

Manitoba natives

NELSON HOUSE — There is a certain irony here with the visit of Judd Buchanan, the new Indian Affairs Minister. It is the Thanksgiving weekend and Buchanan—with his wife, son and aides, is making a whirlwind trip of native communities on the prairies.

Meeting with Nelson House band representatives in the local church, Buchanan hears that the flooding due next year because of Hydro development in the area preoccupies the people living on the reserve. Buchanan pledges support, but declines to meet with the group representing northern concerns—the Northern Flood Committee. He had already notified them of his stand in a letter dated September 30:

"I will continue to support the Committee in all reasonable efforts to reach a settlement with the Province, and I beleive the time is opportune for the parties to enter into direct negotiation. I am not prepared, therefore, to support any type of court action until there has been an honest attempt by both parties to reach a settlement through negotiation."

The letter asked that the committee's planned court action be deferred 60 to 90 days and that this period be used to assess the impact reports Hydro had turned over to the committee after considerable pressure. Buchanan promised additional federal funding—$168,000.—doled out in monthly allowances, subject to a continuing review of progress in the negotiation discussions.

At the Nelson House meeting, Buchanan also listened to Jimmy D. Spence, the community development worker, as he described the bad road conditions and the housing slump. Another representative asked for desks and chairs for the new school to replace the cardboard boxes currently in use. While Spence described the need for economic spurs in the community if it was to be self-sufficient, he spoke against a backdrop of missionary posters on a bulletin board. "Help Haiti" and a deposit box: "Stamps to Help Lepers".

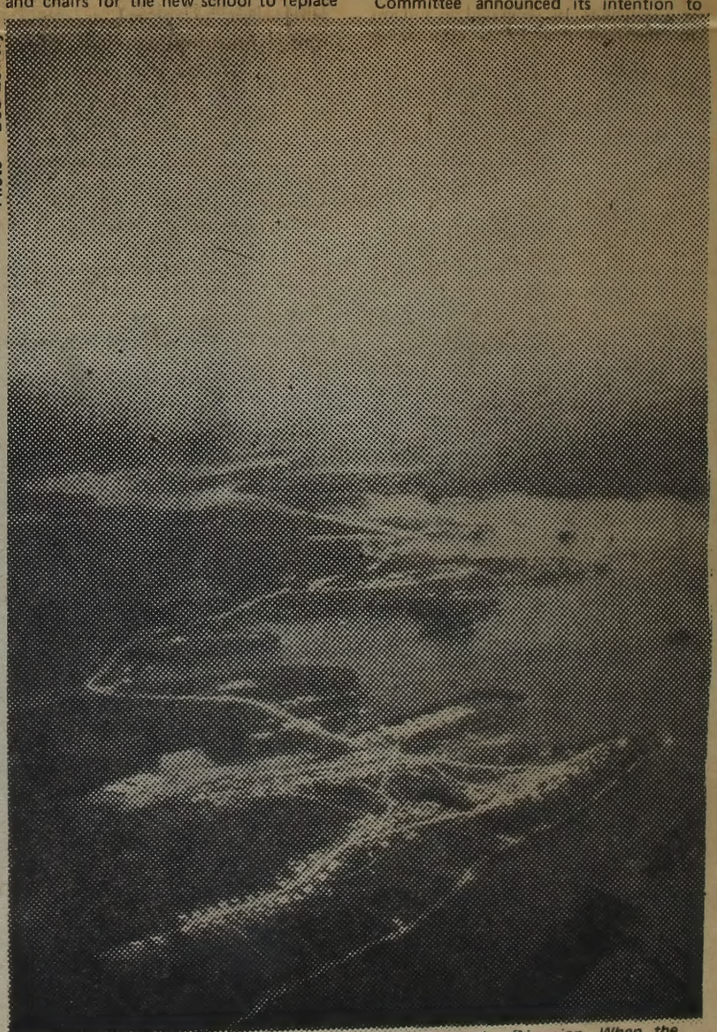
Later the minister drove through the gumbo to the new school. The kids had been patiently waiting for two hours. Buchanan cut the ribbon and after much speech-making, the school was declared officially opened.

No one has said what its fate might be—standing as it does on a reserve where the water will rise 30 to 36 feet next year when the control structures at Notigi are opened. Nelson House residents only learned of this in March from Hydro officials. Water levels will rise at least 30 feet, and other estimates predict a rise of 36 feet. Until the past spring, Hydro had assured the residents there would be no effects on their reserve.

But the questions and the suspicions of residents in other communities sparked the formation of a co-ordinating committee at Norway House and Cross Lake. In the beginning, the committee tried to work with Hydro to get the needed information. Then in June, this committee amalgamated with six other northern communities as the Northern Flood Committee. Their objective became to stop hydro development in the north until any and all effects of the development were known. The key to this was getting the 72 secret impact reports done by Hydro. Their prime focus and leverage with the political level was the flood threat to reserve lands—a violation of the Indian Act

The committee received the full support of then Indian Affairs minister, Jean Chretien. By August, the Committee announced its intention to

Photo — Bob Lowery



Nelson House stands to be severely affected by the Diversion. When the waters rise, the reserve will be cut into three islands. Flooding a reserve without permission is a violation of Indian Treaties.

told to negotiate, settle with province

take Manitoba Hydro to court so that the extent of Indian treaty rights might be legally underlined. This seeking of a declaratory judgment was just possibly the first step to an injunction, according to the committee's counsel, Charles Huband.

In an August meeting with the committee, provincial officials, including Premier Ed Schreyer, called the planned court case "confrontation tactics" and wondered if it might harm any co-operation between the Committee and the province. But Schreyer promised to release the hoarded Hydro reports to experts hired by the committee.

Shortly after, a trip to Ottawa by resources minister Sidney Green showed that the province was clearly worried about any legal action over Hydro development. The province no doubt had the James Bay example in mind when Green made offers to Buchanan to negotiate—if the committee was stopped from taking legal action.

The committee was confused by letter and there was a general feeling that they had lost the minister's support. Members met in Thompson at the same time the minister passed through. But Buchanan didn't meet with the group, saying that he thought it was too soon to get together as he'd just sent a letter and had also met with some members in Ottawa prior to it. For the committee, the Thompson meeting became a time of reassessment and some floundering.

Committee chairman Henry Spence travelled to Nelson House to sit in on the meeting between Buchanan and the band. Spence made a presentation—and stated that the proffered funds would not cover the full cost of analysing the impact reports. The minister refused to make a further commitment of funds, but said the matter could "be reviewed" at a later date. He reiterated his support for the committee in its negotiations with the province.

Buchanan described his position this way:

"While I'm sympathetic to the committee's desires. On the other hand, you do have situations where the interests of the smaller group must be subordinated to the interests of the larger group."

And he gave an example from his own home town in London, Ontario, where residents on the street where he lived had to give up the front 20 feet of their lots so that the street could be widened.

Henry Spence said later he wondered if the comparison of an urban lot to the flooding on reserves and in fishing and trapping areas really stood up.

"We had the full suppot of the former minister—and we had a mandate from the communities to fight Hydro. Now, the new minister is saying to negotiate, to settle, or we won't get any money. To me, it's not the same thing at all. There's a big difference in the two positions."

Ken Young, a lawyer and co-chairman of the committee agreed:

"It would seem to me that if I were to negotiate with somebody and there were technical or legal issues involved, I would want to put myself in the best and strongest legal position. I would want to negotiate from strength."

"I would think that if we got a judgment indicating that these people do indeed have rights and that Manitoba Hydro has to negotiate fairly,—to that extent, I would think our position strengthened by going to court."

Young outlined some of the terms of reference he would want for negotiations.

– the province must admit in writing that by proceeding in construction, if Indian reserve lands are at all affected, the province's actions are then totally unconstitutional and illegal. Young said he was referring not only to the Indian Act, but to other federal laws about Canadian waters protection.

– The province must also agree that the joint federal-provincial agreement signed in 1966 to develop the Nelson River did not give the province any mandate to flood reserve land.

Ed Schreyer said in August that he felt the agreement could be construed that way, as constitutional terms set out sovereignity between the federal and provincial governments. By Schreyer's reasoning, where the province lacked the right to go ahead in certain areas, the federal government gave the go-ahead under its sovereign mandate.

Northern Flood Committee reps meet Indian Affairs Minister in Thompson in mid-Oct. l to r. Henry Spence, NFC Chairman, Judd Buchanan, Peter Spence, Chief, Nelson House.

–the province admit it breached a 1971 agreement with the federal government by not completing environmental impact studies before beginning work on the project.

– the province will negotiate in good faith.

In explaining his pressure for negotiations and a settlement, Buchanan referred to a meeting he'd had with provincial resource minister Sidney Green. Green went to Ottawa in mid-September.

"Maybe I've been conned, I don't know—but I don't think so. Mr. Green assured me most vehmently that the province of Manitoba was ready to bargain in good faith," Buchanan said in an interview.

The week before his trip to Manitoba, Buchanan met with the province of Quebec and the Grand Council of Cree to set the negotiation wheels in motion over the James Bay hydro development. Buchanan draws a parallel between the Quebec and Manitoba situations.

"Neither governments got down to serious negotiating with the Indian people involved until—in the case of Quebec, there was an actual court decision involved. And in the case of Manitoba, there was a situation where the counsel of the native people involved were on the verge of pursuing their case through the courts."

"In both instances, those seemed to be the events that triggered the provincial governments. From then on, they indicated a willingness to sit down and seriously negotiate with the native people over their very genuine concerns."

Committee members in Manitoba feel that the Quebec situation is quite different. The Cree in that province already have one legal decision in their favour, and several years of counter analysis on the project's impacts. The Quebec Cree are not making their claims on the basis of treaties, like the Manitoba natives, but on aboriginal claim and the Quebec Boundaries Extension Act of 1912. This act puts some onus on the Quebec government to extinguish Indian land claims, and by implication, award other lands.

In the area of project impact, the Manitoba Indians are far behind their Quebec counterparts. Hydro has just released 68 of its 72 impact reports. Previously, the committee had been able to get only six or seven reports.

But Ken Young claims that all the data in the additional reports has not been released.

"For instance, the study on the diversion of South Indian Lake down the Rat River system. We got the study—sure we did—but our engineers, when it came time to draw up a legal affidavit, found they couldn't do anything with the study because there wasn't enough information."

Young said an engineer obtained the official document in "a roundabout way". According to Young, new analysis showed that water flowing out of South Indian Lake could be as high as 50,000 cubic fee per second and not 30,000 cubic feet per second as the province has indicated. Henry Spence agreed that the documents received by the Northern Flood Committee are not the official documents of the Churchill-Nelson River Study Board, the official report group. Says Spence:

"We're still pursuing the true facts. Where are those reports—and where are the authors. We'd like to talk to them."

The committee feels that the technical data is the keystone to any settlement talk. Without this data, or a legal decision on their rights and claims, the committee members worry about their position at the bargaining table.

Until the end of December—the conclusion of the 90 day wait ordered by Buchanan, the committee will spend its time settling terms for negotiations and having the Hydro reports analyzed. It's likely that this will continue into the new year. Buchanan said at the Nelson House meeting that if negotiations didn't proceed satisfactorily "after a reasonable time", he might look at other courses of action. In the meantime, the pressure is to settle.

"I can't begin to imagine what a settlement might be. It'll involve fantastic sums of land and money," speculated Ken Young. "It'll all depend on the full impact of the completed project. We don't know to what extent it's going to damage Indian communities, timber lands, hunting and

The process will undoubtedly be long. There are further issues of precedence for dealing with Indian treaties. In Manitoba, the Indian Affairs minister has set the course for direct negotiations between a provincial crown corporation and the treaty Indians involved. For the moment, legal action is ruled out. Settlement has become the focus.

In the actions and statements of Judd Buchanan and other officials during their recent visit, there was an attitude that the Churchill-Nelson Rivers hydro development, although not yet complete, is a fait accompli—by virtue of the millions already spent.

The rights of the minority—in this case, the natives on northern Manitoba reserves, do not seem so assured.

by Marilyn Smith

"Mr. Minister, these lands which you now stand on and the lands you have passed over today by plane are our lands . Through treaty, we have shared these lands with the non-Indian community.

We did not sell our lands or our rights to hunt and fish upon these lands. We believe it was reasonable to share what we had in the hope that someday, the whites would become self-sufficient.

However, for a hundred years, "progress has meant only hardship and poverty for our people. We have not shared in the great affluence of North American society.

Mr. Minister, the people of Northern Manitoba are not opposed to the idea of progress. What we are opposed to is *reckless* progress. We are not opposed to development, but only through co-operative development can true progress be ensured.

Just as we have shared our lands, so we must share in the development of our lands. "We have always known that heedless self-interest was bad morals; we now know that it is bad economics."(FDR)

We ask to be treated as co-partners; indeed we insist upon it. Our lands and our rights are not for sale."

-from an address by Chief Walter Monias (Cross Lake) to former Indian Affairs Minister Jean Chretien

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5 years of politics, controversy and questions

A chronology of the Churchill Development

Although studied as far back as 1919, serious consideration of the Churchill diversion by Manitoba Hydro first results from a study by the firm of Gibb, Underwood & McLellan in 1964.

In **1966**, the Conservative government of Manitoba allows Manitoba Hydro to enter into an agreement with the Federal Government to proceed with the development of the Nelson, including a high level diversion of the Churchill and construction of a 560 mile DC power line to southern Manitoba.

Public announcements made with enthusiasm by Premier Roblin are taken at face value by a public unfamiliar with northern geography, its people, or the values of other resources in the region.

The 12,000 member Manitoba Wildlife Federation for biological and environmental studies to be carried out coincident with Hydro investigation and planning.

A preliminary study by the University of Manitoba recommends in-depth sociological, biological and environmental studies. But, funds for the recommended studies are refused.

On **December 20, 1968**, an open letter expressing deep concern regarding the proposed high level diversion is presented to the Hon. Harry Enns, the Minister of Mines and Natural Resources, by a group of University of Manitoba professors. Publication of the letter first makes the public aware of the probable annihilation of the South Indian Lake settlement, and of widespread extreme environmental damage.

Manitoba Hydro applies for a license to proceed, and public hearings under the **Water Powers Act** (Man.) are announced. At the stormy session which follows in **January 1969,** Manitoba Hydro representatives state that Hydro's sole responsibility is to provide adequate power at the lowest possible cost.

Opponents of the plan object vigorously to this unilateral approach, blaming the government more than Hydro. The main objections center on the disruption of the South Indian Lake community, lack of any in-depth resource studies, and refusal of the government to make public such reports as they have.

The hearings are adjourned without a recommendation, and in **February** lawyers representing the South Indian Lake and Granville Lake communities seek and obtain an injunction to prevent Hydro from proceeding unless the hearings were properly concluded.

To circumvent the injunction, the government introduces Bill 15 in the ensuing legislative session. If passed, this Bill will become an Act superseding and having preference over any other Act or hearings.

Opposition parties (including the present NDP government) fight the Bill vigorously on the basis that lack of information and government refusal to release reports and other vital information prevents any intelligent vote in the legislature.

The Bill doesn't pass second reading as the House dissolves in the **spring of 1969** and an election is called, partly on this issue. In a surprise vote the Conservatives lose, and the New Democratic Party assumes the reins of government.

Premier Schreyer had stated prior to the election that, if elected, he would not allow the high level diversion and would seek other alternatives. The NDP government calls in David Cass-Beggs, former chairman of the Saskatchewan Power Corporation, to review Hydro's plans. In his report to the legislature, Cass-Beggs confirms that alternatives to high level diversion could be found.

On **September 23, 1970**, Premier Schreyer announces alternative plans to develop Lake Winnipeg immediately for the dual purpose of flood control and regulation of the Nelson River for power purposes. He proposes that the diversion at Southern Indian Lake should indeed proceed, but must not raise the level of the lake more than some ten feet.

August 1971 — The Manitoba and federal governments sign an agreement to set up a Study Board which is to do the only detailed study of the effects of the Churchill Diversion and Lake Winnipeg Regulation. The study will cost $2,000,000 but will not be completed in time to influence the development of the project significantly.

The study is to include consideration of all important effects on the water regime and related resource uses. It is also to provide reliable data on present and anticipated conditions arising from the operation of the controls and diversion as designed and constructed. But the understanding is that Lake Winnipeg was to be regulated between 711 and 715 feet and that Southern Indian Lake was to be raised to not more 850 feet for a diversion out of the Churchill River of up to 30,000 cubic feet per second.

October 19, 1971 — Mines, Resources and Environmental Management Minister Sid Green sends a memo to Cass Booy, outlining the government's determination not to hold hearings on the Diversion. After a few weeks of argument the Water Commission agrees. The lone dissenting member of the Commission, Bob Newbury, resigns protesting the loss of independence of the Commission. In August 1972, the Chairman, Cass Booy fails to have his appointment renewed.

May 25, 1972 — The NDP announces its intention of proceeding with the gravity diversion of the Churchill River via South Indian Lake, raising the level to a maximum of 850 or ten feet.

The Southern Indian Lake residents are alarmed to the point of appealing to their lawyers to try to do something. The government indicates that it is unwilling to pay legal expenses for the communities (as the former government had done) but the lawyers carry on anyway, and bring an action which is still pending.

In **August of 1972**, a select group consisting of E.D. Gillespie, Senior Forester, Ontario Hydro, F.F. Slavey, Resource and Environmental Consultant, and P.D. McTaggart-Cowan, Executive-Director of the Science Council of Canada, are appointed to examine the question of clearing costs and resource losses. Their conclusion is that a rush job was required of them, and that no firm decisions should be made until further studies (ie. Study Board Studies) are completed.

November 21, 1972 — The FRIENDS OF THE CHURCHILL forms to conduct a public campaign to publicize the issue. But by Order in Council, the Cabinet eliminated the need to advertise the application for a license to commence the project.

In **December of 1972**, the government changes the Water Power Act so that the Minister might issue the license for the diversion by Order-in-Council, (thereby sidestepping legislative review), and cancels the requirement that notices of the license must be published.

On **December 22, 1972** Manitoba Hydro is granted an interim license to raise Southern Indian Lake to a maximum of 850 feet.

January, 1973 — The Manitoba Environmental Council, an advisory body to Sidney Green, holds an all day hearing of both Hydro spokespeople and the critics of the Diversion and votes 26 to 1 to ask the Government to stop the Diversion. The advice is not heeded.

In **spring of 1973**, Sidney Green fires Robert Newbury from the Study group, charging he would present biased information.

April 6, 1974 — Northern Chiefs from Norway House, Nelson House, Cross Lake and Split Lake meet in Thompson to build a strong regional organization capable of looking after the interests of Northern people. They urge the Manitoba Indian Brotherhood to set up a northern branch office in Thompson and to seek federal or provincial funding for informational meetings and legal advice regarding the Churchill Diversion and Lake Winnipeg Regulation.

April 23, 1974 — A meeting between provincial and hydro representatives and representatives of affected communities takes place The community representatives, charging that the officials would talk only in terms of compensating for the damage and would not discuss the alternative of halting the diversion, ask them to leave. The representatives meet alone and form the Northern Flood Committee representing at this time 6 affected bans, to be their negotiator with the provincial government. Henry Spence is elected Chairman.

April 30, 1974 — Charles Jaworski for Hydro asks Rodney Spence, Chief of Nelson House, for permission to start exploration work for a dam to mitigate the flooding that the diversion would cause on Footprint Lake.

May 4, 1974 — Nelso House Band replies to Jaworski, denying permission for any hydro official or employee to come onto the reserve. The Band offers to negotiate with Hydro, but only after they have received "full disclosure of all the consequences of flooding our land", meaning the Study Board reports, many of which are apparently complete but still held confidential by the Board.

May 29, 1974 — Indian Affairs Minister Jean Chretien writes Premier Schreyer. In a strongly worded letter, he expresses "concern and surprise" at the developments regarding the Churchill Diversion. He attributes the apprehension felt in Northern Manitoba communities to lack of information provided by the government.

He also states categorically that the Federal Government will not give Manitoba the Indian Lands at Nelson House without the agreement of the Band there.

At the same time, a similar strongly worded letter is sent to Leonard Bateman, Hydro Chairman, in which the latter is chastised for sending no representatives to a May 14 meeting in Thompson scheduled between Hydro and the NFC.

May 29, 1974 — Representatives from DIAND, DNA, NFC, and Hydro meet to discuss information dissemination for Northern communities. Duncan Marshall, Regional rep for DIAND and Charles Jaworski, Hydro rep, agree to urge the Lake Winnipeg, Churchill Nelson Study Board to cease confidentiality on study results.

June 12, 1974 — NFC writes all Indian chiefs in Manitoba asking for support. The Committee warns that if Nelson House Indians lose their land to the provincial government, a dangerous precedent will be established for Indians across Manitoba and Canada.

June 19, 1974 — John Frischolz, NFC information officer, asks the Manitoba Registered Trappers Association to send maps of all trap lines in the province for analysis of potential damage resulting from the Diversion.

June 19, 1974 — MIB president Ahab Spence writes Chretien claiming that the issue is "much more serious than a simple lack of information".

He urges Chretien to take all necessary action to stop the Churchill Diversion and asks for a definite commitment from Chretien as to exactly what DIAND intends to do to fulfill its pledge to protect the Indian community at Nelson House.

July 3,4, 1974 — NFC meets in Winnipeg. Selects new legal counsel, Charles Huband of Richardson & Co. Cross Lake and Norway House Band councils join the Northern Flood Committee.

July 5, 1974 — Northern Flood Committee's legal counsel writes Premier Schreyer, informing the government of NFC's intent to file for an injunction in the courts to halt the Churchill Diversion Project, arguing that the provincial government has no right to flood Indian lands which are protected by a Federal treaty.

The letter asks that Hydro stop all work currently underway until the court decision is handed down and explains that if, as is likely, Hydro does not stop, the injunction will seek to apply retro-actively to this date when notice was given.

The letter also offers to continue negotiating on matters that need determination quickly, such as the Nelson House graveyard flooding.

August 5, 1974 — The Northern Flood Committee decides to change strategy in their court action against Manitoba Hydro. They intend not to seek an injunction, which could drag on in court for years. Instead they will seek a "Declaratory Judgement" which, if won, would state simply that if Hydro floods Indian lands, that would be an illegal act. From there, the committee will be both in a better bargaining position for compensation and will be able to launch a suit for an injunction on firmer ground.

August 6, 1974 — Northern Flood Committee meets Premier Ed Schreyer, Hydro Chairman, Leonard Bateman and government lawyer Stewart Martin in Norway House.

Both sides reconfirm their conflicting stands—NFC wants a stop to the Diversion and Lake Winnipeg Regulation, Schreyer says it's too late to stop.

They agree however that damages already caused by construction should be dealt with immediately regardless of the outcome of the court case.

September, 1974 — After lengthy delay, the Study Board finally gives the Northern Flood Committee access to the 72 reports (most of which had been kept confidential). In return the Nelson House Band gives permission to let Hydro representatives onto their reserve for studies.

October 1974 — In a letter to the NFC Buchanan insists that the court case not be launched until the committee tries negotiations with the provincial government for a least 60 days.

October, 1974 — Negotiations begin — NFC sends Hydro a list of conditions including the request that Hydro admit flooding Nelson House would be illegal. Henry Spence announces that Hydro in a telephone conversation has decided not to build the mitigation dam at Nelson House because it is too expensive.

The NDP and the Churchill Diversion —people don't matter that much

"But I wish to God that people would have the intestinal fortitude and honesty to tell the people that when they go for a...multi billion dollar Hydro Development that there has got to be very large, very expensive alteration of river flows, water levels and effect on the ecology. It is viciously dishonest to pretend that you can enter into a $3 billion Hydro Development...and leave the natural landscape and ecology in natural serenity. It is impossible, was from day one, but that was never made very clearly."

– Ed Schreyer, 1972

The flooding of Southern Indian Lake became a hot political issue early in 1969. This came as a result of public criticism of the project by a group of professors at the University of Manitoba. Members of this group had participated in a confidential impact study a couple of years previously which had persuaded them that the project was disastrous both in in environmental and social terms. At this time also there were stormy public hearings in South Indian Lake at which lawyers for the community, who had been hired by government to work out terms of compensation, challenged the nature of the project and the amount of documentation provided to justify it.

Another Stick to Whack the Tories

The NDP caucus had been briefed on this issue in the spring of 1968 and, at that time, reacted with some horror at the project's consequences. However, it was not until it was a live political issue and hence, an opportunity to embarrass the then Conservative government, that the NDP said anything publicly.

During the first six months of 1969 while the NDP was in opposition they treated the South Indian Lake issue in a shallow, opportunistic and partisan manner displaying little genuine interest and even less understanding of the problems involved. It was just another stick with which to whack away at the Tories. So they hopped on the opposition bandwagon generated by the South Indian Lake lawyers bid for an injunction and the pressure group activities of the Winnipeg-based South Indian Lake Action Committee. They did not, however, make any explicit commitments to doing anything differently other than to review the plans.

Identifying With the Opposition

Nevertheless, their public statements clearly indicated attempts to identify completely with opposition. For example the Winnipeg Tribune reported.

"Manitoba MLA Sid Green said at today's hearing on the Southern Indian Lake diversion that it has been proven–'at the hearing'–that more people are concerned with the Indians and wildlife than are worried about saving money on their Hydro bill..."

That was in January. During the June election campaign the Tribune reported,

"Earlier Tuesday, Mr. Schreyer gave official party endorsation to the low level diversion plan for Southern Indian Lake 'on the basis of available information'."

The NDP won the election of June 25, 1969. And in its first months in office, the new government verbally confirmed its good intentions. At his first post-election press conference Schreyer was quoted as saying,

"Manitoba Hydro surely cannot proceed without reference at all to the human factors and if the human, the sociological, the natural resource conservation factors weigh more heavily in the minds of my cabinet colleagues than the mill rate Hydro will have to charge well then we'll reverse the present course Hydro is embarked on."

And in September, 1969 when Schreyer announced the abandonment of the high level diversion plan he said things like,

"Can we... face up to the prospect of disrupting two communities of 700 people, completely upsetting the lake on which they depend for their livelihood making it quite impossible for at least some of them to continue to live independently?"

However, what the government actually did was something else. Their first act was to bring in David Cass–Beggs, formerly General Manager of the Saskatchewan Power Corporation during the years of CCF-NDP rule, to find an out for them. But Manitoba Hydro and the actual internal structure of policy-making and implementation was left intact. The conclusion of Cass-Beggs' study was that there were alternatives to the high level diversion which compared favourably from a **technical** perspective. He principally had in mind regulation of Lake Winnipeg.

Based on this advice the NDP post-poned a final decision on northern hydro plans for, as it turned out, one year. Subsequently, the government appointed two of the most outspoken critics of the flooding scheme to the Water Commission (with power to review any hydro plans and hold public hearings) and in January, 1970, David Cass-Beggs became the General Manager of Manitoba Hydro. These moves and announcements totally convinced the flooding opponents that all their problems were over.

Allaying the Fears of the Opposition

The result was the grand pronouncement of September, 1970 saying that the Lake Winnipeg project would be undertaken. At the same time, however, there was a highly ambiguous announcement about the future of Southern Indian Lake. The government said that there would be no flooding of the lake greater than 10 feet above the normal upper limit but that no final decision had been reached about the diversion.

Schreyer went on to say that a ten foot raise would involve "little damage to the environment". This was obviously not true as the residents of Southern Indian Lake recognized right away and said so. The Water Commission cautiously welcomed the announcement but made it clear that this implied no acceptance of even a 10 foot rise. The reasons for this were sound enough. The "ten foot" diversion is what is going ahead now and it is highly destructive to both the environment and community.

"...in recent decades, resources have been despoiled usually for selfish financial gain, others in the name of progress...but now we know our resources are finite...that we cannot continue to squander them."

– Ed Schreyer, 1969

Hydro Tries Again

But the old management of Manitoba Hydro which had concocted the flooding plans in the first place were charged with the responsibility of reviewing them. So they hired Underwood-McLellan (the consultants who drew up the original plans) to conduct the review and come up with a 'new' plan. The consultants dutifully filed a report which recommended what in effect was the old flooding plan in a new guise. Instead of a diversion by flooding Southern Indian Lake thirty feet, Underwood-McLellan now recommended a flood of fifteen to seventeen feet.

However, what the critics had been calling for in 1969 were diversion plans that involved **no flooding**. As a result the Underwood-McLellan report which was publicly released in April 1970, was sharply criticized by the Water Commission two months later.

Nevertheless, during the summer all that occurred was an internal review at Manitoba Hydro directed by David Cass-Beggs. He was largely pre-occupied with attempting to justify the Lake Winnipeg Regulation scheme. Essentially, he was trying to reach a decision based on traditional hydro concerns which also fitted human and environmental concerns. Having your cake and eating it too. No trade-offs. But he couldn't do it.

The final decision for ten feet of flooding was actually made at this time despite the "no final decision" phraseology in the press release. But it was not until well over two years later that Sidney Green disclosed this to protestors saying that if they had objections they should have raised them in 1970 when the "decision" was announced.

It is not entirely clear how much awareness there was at this time in Government and Hydro about the adverse consequences of 10 feet of flooding. But the ambiguity of the announcement suggests there was some knowledge of what was happening. In any event it did not take long before there was a conscious and co-ordinating cover-up of what was about to take place. The purpose was to postpone and cut short the political fight

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....nor do party ideals

that the flooding decision had made inevitable. It was easy to carry off since until now from the perspective of the defenders of Southern Indian Lake all had seemed to be going well.

Why 10 Feet?

The 850 level (or 10 feet flooding) appears to have been inspired by the 852 to 854.5 Underwood-McLellan recommendation. What government discovered was that the cost-benefit position at 850 was only a little different from that of 854. As soon as they realized that almost all of the houses at South Indian Lake lay above 850 feet, it was a simple decision to go for 850.

They could not go below 850 because it was the minimum level at which 30,000 cfs of water could be diverted by gravity. They felt that they could dispense with four feet of storage recommended by Underwood-McLellan because of the decision to proceed with Lake Winnipeg Regulation.

Misrepresenting the Extent of the Damage

It was at this time that the NDP began to refer to their '850 as a maximum' proposal as a Low Level Diversion as compared to the earlier High Level Diversion. It was, of course, nothing of the sort. Actually, it was a slight modification of the Medium-Level Diversion proposed by Underwood-McLellan.

The distinction is important. Environmental critics had proposed a number of alternatives in 1969 which they labelled Low-Level Diversion schemes. But all these proposed leaving Southern Indian Lake within its natural limits, i.e. not flooding. The NDP had now appropriated the term and continued to use it to describe their 10 foot flooding plan. Cynics would call it deliberate deception. To be a little more charitable, it could be said that they were totally confused.

Ignoring the Real Disruption

When the government announced proudly that its plans for Southern Indian Lake would not involve "disturbing any settled community" it caused a fundamental confusion. They confused the physical relocation of the community with the destruction of its economic base and damage to its environment. If all that had been asked of the community in the first place was to move to higher ground, they no doubt would have been glad to comply.

But that was not and is not now the issue. It was the damage to the environment, in particular the damage to the fish and wildlife, that mattered most. The government has continued to claim that one great advantage of their scheme is that it does not force the people in South Indian Lake to relocate because the homes of most of them will not be flooded.

This is not strictly true. Every home in the community must be relocated and rebuilt in a new townsite being built because, among other reasons, shoreline erosion might eventually inundate most of the houses. However, the point is that the government's claim, even if it were true, is a red herring.

Among the additional studies undertaken by the government was an environmental impact assessment of Lake Winnipeg Regulation and Churchill River Diversion. The proposed study first came up in late 1970 or early 1971 but was not commenced immediately because of objections from David Cass-Beggs. The study was to be carried out jointly by the federal and provincial governments. Cass-Beggs raised various objections to the federal involvement causing a substantial delay in starting these environmental studies.

It is only speculation but one feared what its results would be, and further, he feared adverse results vis a vis the Churchill River Diversion would become publicly known prior to a project involving 10 feet of flooding being commenced. Cass-Beggs' statements to the press in September, 1970, clearly show, in retrospect, that he was almost certain there would be 10 feet of flooding. And he feared the results of that being widely known.

The Issue Submerges

The issues of Southern Indian Lake and Lake Winnipeg Regulations became submerged in late 1970 from public view. Although during this period there were growing anxieties on the part of residents and cottage owners on the shores of Lake Winnipeg, the issues did not provoke public debate. The political atmosphere in the province changed. The Auto Insurance bill had passed; the government obtained a majority in the Legislature by winning two by-elections in April of 1971. It was confident now and securely in office for a full term.

The Lake Winnipeg scheme blew up in the spring of 1971 with a resignation from the Hydro Board and one from Hydro staff, both men protesting the adopted policy. Hence there was a full fledged legislative debate.

From the Spring of 1971 until the Summer of 1972 the government was subjected to a storm of abuse over its plans for Lake Winnipeg by a coalition of cottage owners, embittered Conservatives, and a couple of ex-Hydro people desirous of high level diversion.

The one significant episode of this period was the government's wrecking of the Water Commission. Bending under ministerial pressure the Water Commission changed its plans for formal public hearings on Lake Winnipeg to informal public meetings. As a result, Bob Newbury, one of the Churchill diversion critics, resigned from the Commission. Later on, Cass Booy, the other critic, did not have his appointment renewed. The independence and integrity of the Water Commission were destroyed.

No public hearings or meetings were held by the government to discuss the Churchill River Diversion. A number of stormy public 'meetings' were held on the Lake Winnipeg matter in 1972 but not public hearings.

As noted earlier, the government's tentative choice of a 10 foot level of flooding hardened into firm policy not long after the September, 1970 policy announcements. But firm evidence of this intention was extremely slow in coming out. Announcements of what the NDP had determined to be inevitable was delayed. There was, in fact, a prolonged cover up.

In coming to a decision on the matter of South Indian Lake, the most important criterion for determining the ultimate outcome was **direct, dollar** cost. That social costs, environmental costs, recreational opportunity costs, etc. are important as human values but perhaps not as dollar values means they get short shrift in a dollar centered planning process. But they are known as **indirect** costs or externalities. This government was an is as ruled by the notion of the environment as marketable commodity as all previous administrations.

A False Dichotomy

The general impression left by the whole Lake Winnipeg debate was that the NDP were proceeding with that project very much out of concern fo Southern Indian Lake. It all seemed to be a matter of Lake Winnipeg versus South Indian Lake. In fact, the issues were far more complex; this was a false dichotomy. The only 'externality' that received NDP consideration it now appears was its partisan, political position. More than anything else, they had to **appear** to be doing something differently.

Impact Assessment

The next important development in the sequence of cover-up events was the signing of the Canada-Manitoban Study Agreement for an environmental impact assessment. This study had been delayed for some months by David Cass-Beggs. Cass-Beggs waffled on the issue saying to the federal government that a million dollars had already been spent on resource inventories and so on. But finally an agreement was reached and signed on September 9, 1971, by the provincial government. This study held out great hope for opponents of Southern Indian Lake flooding. No final decision had been announced; no diversion water was contemplated for use for five years. In the meantime this study might be able to demonstrate the wisdom of some less damaging alternative. The Terms of Reference left this latter possibility wide open.

Still Waffling

The question of the Churchill Diversion began to crop up during the next few months. Still the government refused to admit there were any definite plans.

This attempt to blur the government's intentions worked well. They were able to postpone an organized public attack on their policy until late in 1972.

The Axe Falls

But word of the project and its implications finally began to leak out. At a press conference in late March, 1972, Premier Schreyer finally confessed that "unavoidable ecological damage" would be possible along the Churchill River as a result of the proposed diversion. Questions in the Legislature by Cy Gonick and Tory Don Craik indicated rumours were floating around to the effect that Southern Indian Lake was going to be flooded.

Finally, the axe fell. On May 25, 1972, Manitoba's New Democratic Party announced its intention to proceed with a gravity diversion of the Churchill River via Southern Indian Lake by raising the level of the lake, perhaps only to 847 or 848 feet above sea level but, if necessary, to 850 feet.

Despite all the valiant efforts to 'get the level down', the flooding remained the same. The Conservatives immediately launched attacks on the government, attempting to construe the announcement as vindication of their current policy of opposing Lake Winnipeg Regulation and favouring an 854 foot diversion of the Churchill River.

The NDP's defence of itself was to concentrate on the economics of the diversion.

Schreyer claimed that without the diversion that the economics of the whole Nelson Scheme would then be 'nonsense'. Since no fully adequate economic illustrated in two unpublished papers on the subject by Dr. Gunter Schramm, an economist at the University of Michigan's School of Natural Resources Schreyer's claim was simply without documentation. Certainly, there had been no inkling from the

government of this point previously.

It illustrated the deceitful nature of their policies and took the approach of "Any old excuse will do, but full speed ahead."

No Data Available

Until this time, it was widely believed that a decision on the Churchill Diversion was perhaps still a year away at which time it was thought some results would be available from the environmental impact study. While the agreement for the study had been reached in 1971, the actual research program took several months to start. Thus, there was virtually no data of this type available when the decision was announced. Cass-Beggs asked a committee of three scientists chaired by P.D. McTaggart-Cowan to examine the question of clearing around the flooded lake, the diversion channel and the Notigi reservoir. After a couple of meetings the committee submitted a final report in August, 1972. While this report was subsequently used by Cass-Beggs to justify Hydro's flooding program as taking environmental considerations into account, the report itself stated:

"We sincerely hope that this will be the last time in the history of Manitoba that major engineerings endeavours are undertaken without a proper environmental impact study having been completed so that it is one of the essential inputs to the political decision."

It therefore soon became apparent that the Manitoba Government intended to grant Manitoba Hydro a licence for the Churchill River Diversion. As a result, Ed Kuiper, Professor of Civil Engineering at the University of Manitoba, the man first to propose (as a hydro consultant) and then first to oppose the Churchill River Diversion, called a meeting of university people to discuss organized opposition.

Eliminating Unwanted Publicity

At this time Sidney Green was busily making changes in the regulations under the Water Act. In 1968 Hydro had been required to post a public advertisement indicating its application for an interim licence to flood Southern Indian Lake. It had then also been compelled to appear before public hearings in South Indian Lake and Winnipeg to defend and justify its decision. But life was much easier in 1972. Green eliminated by order-in-council the need to advertise the application for a licence and refused to hold public hearings on the issue'

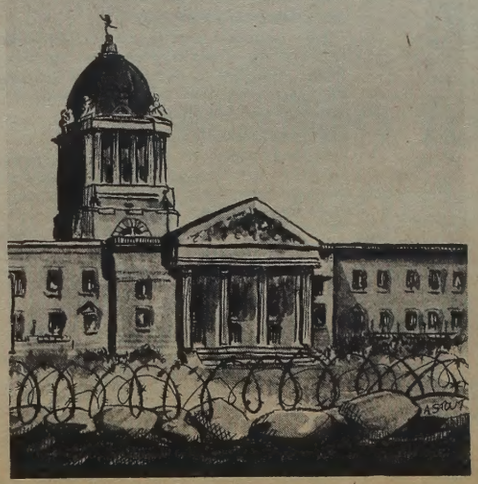
A fantastic batch of claims were made by the government in its defense over the coming months. It was undoubtedly true that the government actually decided to flood Southern Indian Lake in 1970. What they didn't do was tell anyone. Their ambiguous announcement of 1970 emphasized "no final decision" had been made. Assurances were repeatedly given that it was possible the plans could change. This remained the case right up to and even including the May 25, 1972, 'final' decision announcement of David Cass-Beggs.

Their decision was also made totally in confidence without public participation and without an environmental impact assessment.

The result was the founding of the Friends of the Churchill River The Friends were a coalition sharing the common goal of postponing the Churchill River Diversion. Most desired no diversion at all but as a minimum they hoped to get a non-flooding alternative if the project could not be postponed or cancelled.

They decided to conduct a public campaign to win support for their position.

The Friends of the Churchill initiated what was to be a vigorous 5-month debate on hydro policy.



Cass Booy had termed the Churchill River Diversion 'an ecological disaster at a public meeting sponsored by the Crescentwood NDP constituency association. Conservative M.P. Jack Murta called for a public inquiry into the issue by the federal government. And the University of Manitoba Students' Union Council voted to oppose the project.

A Tarnished Golden Mean

Schreyer also said, after indicating the high level diversion was the most economic:

"There are those pristine purists who wouldn't want a single drop of water used for hydro-electric power, and there are those who say raise to the maximum efficiency. But there is a midway point." [26]

No in this case there isn't, but the statement is revealing. One of Ed Schreyer's beliefs is that there are for every issue two extremes and an elusive golden mean. The problem is to work out the compromise solution. In the case of the Churchill River Diversion, however, this prejudice doesn't apply. The thirty feet of flooding was not considered the most economic in the light of other resource values.

Although the area flooded by 850 foot diversion was much reduced in size, the qualitative damage to lake and shoreline was substantially the same. The government is, in fact, faced with the prospect that its hydro plans are more expensive than necessary and at the same time are enormously destructive of the environment. The 'golden' mean in this case is at least a little tarnished.

As part of the campaign against the diversion, the lawyers for the community at South Indian Lake re-opened the legal case against the project by filing for an injunction to halt the project. But this time they donated their legal assistance to the community because the NDP refused to provide the funds necessary. So now they were not only proposing to harm the community's environment and very possibly undermine their economic base but they now took a step backwards and refused to provide the resources necessary for the people of South Indian Lake to defend their perceived interests. Hydro adopted the tactic of legal delay so that the court case has never been brought to a conclusion but construction of the project proceeds apace. Indeed, Hydro as late as December, 1973, still would not admit in court that any flooding would take place.

A Marketable Environment

The argument of the Friends of the Churchill was that there is a great if intangible value in protecting this natural system. A major corollary of this argument was that the South Indian Lake community depended on fish and fur from an undisturbed environment for survival. Complimenting this argument was one which noted that in a situation where the demand for power doubles every ten years the Churchill Diversion adds only four years of growth on to] of a fully developed Nelson River system. So the environmental values would be sacrificed to meet four years additional power demand. But there are other arguments as well; challenges to the scheme's economics, questioning of the legitimacy of the increases in power demands and particularly the presentation of viable alternatives.

The government's attitude to all this was summed up in a speech Schreyer gave in January, 1973, to the Prairie Roadbuilders Association:

"You have to weigh off the relative merits of hydro development versus ecology. Suppose, for example, a hydro project will cause $200,000. worth of ecological damage a year, while simultaneously creating a resource value of $80. million. In this case, I think the benefits of development far outweigh the drawbacks." In other words, the environment has value only as a marketable commodity.

After a near-unanimous vote by the Manitoba Environment Council to stop the Diversion, more voices joined. The Liberals, led by I.H. Asper hopped onto the bandwagon. But rather than focus attention on the harmful effects, Asper, chose to concentrate on the government's mishandling of the project reminiscent of the NDP's protests in 1969.

There was debate on the Churchill Diversion issue in the 1973 session of the Manitoba Legislature. It consisted largely of the usual run of the mill partisan posturing. There was little serious debate. Indeed, reading the transcripts of debates reveals the routine use of the most grotesque hyperbole, constant cat-calls, jeers, interruptions, disputes over points of order, points of privilege and so on. As an institution whose theoretical purpose is serious, rational debate of important policy issues, the Manitoba Legislature is a flop.

Election Can't Help

The public controversy came to an end. The Liberals decided they couldn't use the issue to their advantage; the government couldn't be moved on the issue and the Conservatives wanted more flooding than the Government proposed.

When the 1973 election came, therefore, the Diversion wasn't an issue. Indeed, it was scarcely mentioned. The election was certainly no place to resolve the issue in any event. Elections can't possibly deal with policy issues. Perhaps a choice could be made if there was only one issue which had only two or three clear policy alternatives.

But that is never the case. A host of issues become part of an election but in a fragmented, ambiguous manner. The parties tend to blunt the differences between them and the personal characteristics of the leaders influences the voting as much as if not more than any policy matter.

Elections are more in the nature of rituals to persuade us that a political and economic system with many authoritarian features is really democratic. A complex and many-sided issue such as the Churchill River Diversion is simply not amendable to electoral debate. And in any case voters in Manitoba were faced with two parties in favour of flooding and one that was getting increasingly vague about its intentions as time went on.

A Fait Accompli

With the NDP returned to office for another four years, the Churchill Diversion seemed to become a fait accompli. Construction began in earnest in the summer of 1973 and by early 1974 considerable damage to the environment had already been done even before the waters have begun to rise. A coffer dam built at Missi Falls had destroyed the best whitefish spawning ground on the lake. Thousands of acres of trees had been levelled in the Rat River valley. These will become floating logs in the reservoir behind the Notigi dam which already has caused water quality problems at the Nelson House Indian Reserve on a lake along the Burntwood River system below Notigi.

The diversion is expected to be operational by 1975.

Only opposition from Native Manitobans remains. The South Indian Lake court case is still pending.

The disclosure of a possible thirty feet of flooding due to ice jams at Nelson House has raised Federal treaty rights as an issue.

But the Federal Government wants the Northerners to negotiate for compensation, rather than fighting for an injunction in the courts, at least for 90 days.

Whether the threat of court action will cause the Manitoba government to deal more fairly this time around remains to be seen.

"...I wish to conclude by saying that as a young man, what attracted me first to the CCF was its slogan 'Humanity First', that's the first slogan I ever came into contact with with this party. Mr. Speaker, what a distance this party has come from its early idealism. Its first fling in office in this province casts aside its idealism and rushes for the spoils, removing whatever gets in its way. After all, what are a few hundred Indians? What is the value of a lake or river, Mr. Speaker, compared to cheap power and to export sales."

– Cy Gonick, Manitoba Legislature, 1973.

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Confidential government notes detail extent of damage

Ilford

The Ilford fishery will be destroyed.

"POPULATION: approximately 200

COMMENT: Lakes are generally shallow. Large area will be left dry after regulation. Severe flow fluctuations due to operation of system to produce power will subject these dry areas to periodic flooding.

PHYSICAL EFFECTS:

FISHING: Substantial reductions in productivity and size of fish stocks expected. Expected to be ongoing.

TRAPPING: Substantial disruption of habitat. Expected to be ongoing because of flow fluctuations. Will reduce productivity in area for foreseeable future.

ICE CONDITIONS: Longer ice cover period and thicker ice.

SHORELINE: Old shoreline will be abandoned. New one will have to be established.

WILDLIFE: Waterfowl habitat, especially geese staging areas will be adversely affected.

SOCIO-ECONOMIC EFFECTS:

FISHING: Ten to 11 fishermen from Ilford fish Northern Indian, Fidler and Billard Lakes. Average annual net income is $1,000 to $1,200 per capita. Lakes yield approximately 40% of Ilford Co-op's production. Fishery will be destroyed.

TRAPPING: Six trappers from Split Lake ($274 income per trapper) and 5 from South Indian Lake ($530 income per trapper) will be affected."

Cross Lake

"POPULATION: approximately 2,000

COMMENT: In general, flows will increase substantially during winter under regulation. Levels will not fluctuate outside natural range to a large extent but will be subject to rapid fluctuations within that range. In November, a rapid fall of 1¼ to 2¼ feet can be expected due to a flow cutback at Jenpeg to ensure a smooth ice cover on the forebay. This fall could be as much as 4 to 5 feet in extreme conditions. Normal annual level fluctuations will be reversed under regulation.

PHYSICAL EFFECTS:

TRAPPING: Substantial effect — rapid fluctuations in levels, particularly in the fall, could result in beaver and muskrat population reductions because of a freeze-up or flooding of dens and houses.

FISHING: Little effect — whitefish spawning areas will probably not be effected. Sturgeon will experience temporary disruption in the immediate Jenpeg area. It is not known if there is any migration of whitefish between Cross Lake and the West Channel of the Nelson River.

ICE CONDITIONS: The best information to date indicates that ice conditions may be poor to extreme bad under regulation. Level fluctuations could result in flooding and cracking along the shoreline which will lead to disruption of land transportation. Conditions could be such as to preclude future winter roads.

SHORELINE: Mostly clay or bedrock with overburden. There will be some erosion but indications are that this will not be severe in and around the community. Some debris can be expected.

SOCIO-ECONOMIC EFFECTS:

FISHING: Approximately 21 fishermen — $43,900 annual net income. Possibly some temporary disruption due to debris. Levels fluctuations could cause damages to boats until fishermen become familiar with new water regime. Small winter fishery could be disrupted by ice conditions.

TRAPPING: Could be severely affected. Approximately 80 trappers with annual value of production of $14,000 could be affected. Transportation disruption due to poor ice also a consideration. Community trapline will be disrupted.

PROPERTY DAMAGE: Four causeways and 4 bridges as well as 25 other structures, mostly docks and sheds will have to be moved or upgraded. Indian Affairs working on roads this summer.

SOCIAL: Substantial stress is now evident in the community."

Thompson

Hydro has agreed to relocate the city's pumping station which will be flooded after the diversion.

The water-air base will have to be moved.

Banks along river drive will have to be protected.

Hydros senior hydraulic planning engineer is quoted in the Free Press (June 29, 1974) as saying, "erosion will be minimal." Confidential Cabinet briefing notes, however, indicate: "Will be substantial erosion resulting in debris problems."

Briefing notes also add:

"POPULATION: approximately 22,000

COMMENT: Flows will increase dramatically and levels will increase above historic range and remain reasonably constant.

PHYSICAL EFFECTS:

FISHING: Not known.

TRAPPING: Not known.

ICE CONDITONS: Very little information. Appears that ice will be poorer under regulation.

WATER QUALITY: Increase in turbidity. [more particles in water, less oxygen results]

SOCIO-ECONOMIC EFFECTS:

WATER SUPPLY: A high probability that intake will need to be relocated.

TRANSPORTATION: Debris may inhibit operations at float plane base. Mitigation necessary.

RECREATION: River presently utilized for boating. Park located on its banks. All recreational activity will be severely affected. Alternatives (i.e. Partridge Crop area) are necessary."

South Indian Lake

"POPULATION: 590

COMMENT: The water will begin to rise at South Indian Lake in June, 1975, and will reach 847 feet by November, 1975.

PHYSICAL EFFECTS:

SHORELINE: Sixty-five percent of the shoreline is bedrock controlled, while the remainder is clay or organic. Bedrock controlled shoreline will not erode but trees growing on this shoreline will be washed into the water causing floating debris on the lake. Erosion is expected on clay shorelines. Some organic shorelines will float and break away resulting in floating islands.

WATER QUALITY: No significant effects.

ICE CONDITIONS: Ice travel across the narrows separating the community will not be possible after diversion.

PROPERTY DAMAGE: Twenty-one log homes (below the 855' contour line) will have to be replaced. In addition, the United Church manse and hall and the Hudson's Bay Complex must be moved. Hydro must rip rap (line with rocks) two cemeteries and replace a number of docks.

BIOLOGICAL EFFECTS:

FISH: Impoundment and diversion will lower the biological productivity of the lake by approximately 10%.

FUR: Numbers of furbearers will decrease somewhat. However, there are indications that the annual fur harvest is below the level the area can support.

SOCIO-ECONOMIC EFFECTS:

FISHING: Fifty to 70 men are employed in the fishing industry and fishing represents approximately 40% of the community income. Floating debris may be a serious problem to commercial fishermen.

TRAPPING: The effect on the trappers should not be significant."

Churchill River

A drastic reduction in flow since most of its water will be diverted into the Nelson.

As well, discharges of excess water at Missi Falls during wet periods will cause large fluctuations in flow, rendering unlikely any stabilization of the Churchill riverbed.

Burntwood River

Water flow to increase 6-fold from 4800 cfs to 35,000 cfs.

Banks will have to be cleared and debris collected (from banks that aren't cleared).

Nelson House

This is the community about which most of the talking will be about. It stands to be affected in a most major way. And being federal treaty land, the province has no legal right to flood it without permission either from the federal government or the Indian band concerned.

A mitigation dam has been proposed to prevent the higher water on Three-Point Lake from backing up into Footprint Lake on which Nelson House is located. Pumps would then move the water flowing down Footprint Lake uphill into Three-Point Lake.

"POPULATION: approximately 1,250

COMMENT: ...fishing and trapping activities will be affected with or without the dam.

PHYSICAL EFFECTS:

SHORELINE: Data on shoreline erosion is not available at the present time. However, a considerable amount of floating debris is expected along the diversion route.

WATER QUALITY: No significant effects.

ICE CONDITIONS: If no dam is built at Nelson House, travel across the ice at Footprint Lake may be hazardous. With the dam, there will be no such hazard. Travel across the ice along the diversion route will be dangerous. This will disrupt travel to and from traplines.

PROPERTY DAMAGE: If no dam is built at Nelson House, cemeteries, docks, sheds and houses will be flooded. Estimated cost of damages is approximately $400,000. If a dam is built, no such damage will occur. If no dam is constructed at Nelson House, approximately 1,970 acres of reserve land will be flooded. If the dam is constructed, approximately 800 acres of reserve land will be flooded.

BIOLOGICAL EFFECTS:

FISH: Unknown. Only one lake (Wuskwatim) that can be considered as "economic" is affected.

FUR: Numbers of furbearers will decrease. However, there are indications that the annual fur harvest is below the level that the area can support biologically.

SOCIO-ECONOMIC EFFECTS:

FISHING: Eight to 12 men fish Wuskwatim Lake and earn about $5,000 in total from fishing this lake. Floating debris may disrupt fishing on this lake.

TRAPPING: Fifty-five trappers will be affected. Total earnings from trapping by the trappers varied between $23,000 and $63,000 in the past six years. However, actual damage may not be significant."

Churchill

"POPULATION: approximately 3,500

COMMENT: Flows will vary drastically depending upon operation of the Missi Falls Control Structure. Studies to date indicate a high probability of salt water intrusion at flows of 10,000 cfs or less.

PHYSICAL EFFECTS:

FISHING: Possible effect on Baluga Whale but no data is available. This statement is speculative at present.

TRAPPING: Reduced or extremely variable flows will adversely affect habitat along river. Will reduce productivity of furbearers (e.g. beaver, muskrat, etc.)

ICE CONDITIONS: Ice will be thicker and open water season on river shorter. Slush ice in harbour area may diminish allowing longer navigation season.

SOCIO-ECONOMIC EFFECTS:

FISHING: None known to date.

WATER SUPPLY: A high probability of salt water intrusion into the town's intake system.

RECREATION: Thirty-three cottages located near river plus 18 undeveloped lots. Related activities (fishing, boating, hunting) require use of river. Will be severely affected.

POINTS OF PARTICULAR CONCERN:

There is a lack of information concerning the Hydro development in the community. Immediate action to rectify is needed. Immediate need for:

a) remedial action to ensure adequate water supply, and

b) remedial action to mitigate lost recreational benefits to local cottagers."

Split Lake

Occupies the unenviable location at the junction of the Burntwood and Nelson Rivers, both of which will have increased flows—the Burntwood from the Churchill Diversion, and the Nelson from the Lake Winnipeg Regulation during a wet spring.

Confidential Cabinet briefing notes which were never officially released indicate:

"POPULATION: approximately 1,000

COMMENT: In general, flows will increase substantially. 40,000 cfs more than the current 103,000 cfs. Under natural conditions, water levels peak in spring and decline thereafter till next spring. Under regulated conditions, there will be a January peak as well as a June peak level. The January water level under regulated conditions will be approximately 3 ft. higher than under natural conditions.

As well, the June water level under regulated conditions will be approximately two and one half feet higher than the June water level under natural conditions.

PHYSICAL EFFECTS:

FISHING: Increased turbidity (10 to 12 times natural level) will result in probable reduction in whitefish production. Effects on pickerel not known.

TRAPPING: Little effect. Fluctuations likely not severe enough to dislocate in most years.

ICE CONDITIONS: Probably some cracking at shorelines. Best information to date indicates that ice conditions should allow winter road.

SHORELINE: Mostly clay or bedrock with overburden. Will be some erosion but not expected to be severe. Will be a source of debris.

WATER QUALITY: Turbidity will increase. The community has had a water quality problem for some time.

SOCIO-ECONOMIC EFFECTS:

FISHING: Ten to twelve fishermen, $400 average annual net income per man. Mainly a whitefish lake. Probably severe impact...

TRAPPING: Possibly some access problems.

EMPLOYMENT: Substantial opportunities in Hydro development and road construction. Needs to be exploited."

Norway House

Unknown effects on the spawning grounds for Whitefish in Playgreen Lake.

"POPULATION: ?

COMMENT: Flows will increase after regulation. Levels will remain within the historic range but will be, on average, higher than in the past. There will be less fluctuation (smaller range) under regulation.

PHYSICAL EFFECTS:

FISHING: Possible problems for fish production because of increased turbidity. Also, migration patterns may shift. Data on migration is not good at this time.

TRAPPING: Negative impact on productivity around the JenPeg forebay and dredged channels.

ICE CONDITIONS: Likely to be poor on the Jenpeg forebay. Winter road may require minor relocations near outlet of Two Mile Channel.

SHORELINE: No impact near the community. Southern end of Kiskittogisu will be floaded substantially.

SOCIO-ECONOMIC EFFECTS:

FISHING: Fifty fishermen with approximate average annual net income of $68,000. Most fish Playgreen Lake. Some short term disruption expected (i.e. fish may relocate in lake, will have to be found). Fish camp on Flett Island (elevation approx. 711) will have to be relocated (it has historically been flooded).

TRAPPING: Minor impact with the exception of lines bordering the Jenpeg forebay and areas around dredged channels."

openness urged, too late

To keep information secret from the public is a serious breach of trust from any government and doubly so from one calling itself "Democratic".

The New Democratic Party of Manitoba has in its handling of the Churchill Diversion made a mockery of fundamental principles of justice — openness of information, and public involvement in decision-making.

Much information below regarding the Churchill Diversion's effects on Northern Communities is taken directly from a series of confidential Provincial Cabinet Briefing Notes.

The Briefing Notes, which were prepared in May of 1974, conclude almost invariably for each community that "more information is required by the community regarding the input of the diversion..." or "Definite need for more information by community."

However, the point of making the information available is not to allow the people of the North to take part in decisions affecting Northern development.

It is, of course, far too late for that. Northerners were conveniently forgotten when the decisions were made and now the massive project is near completion.

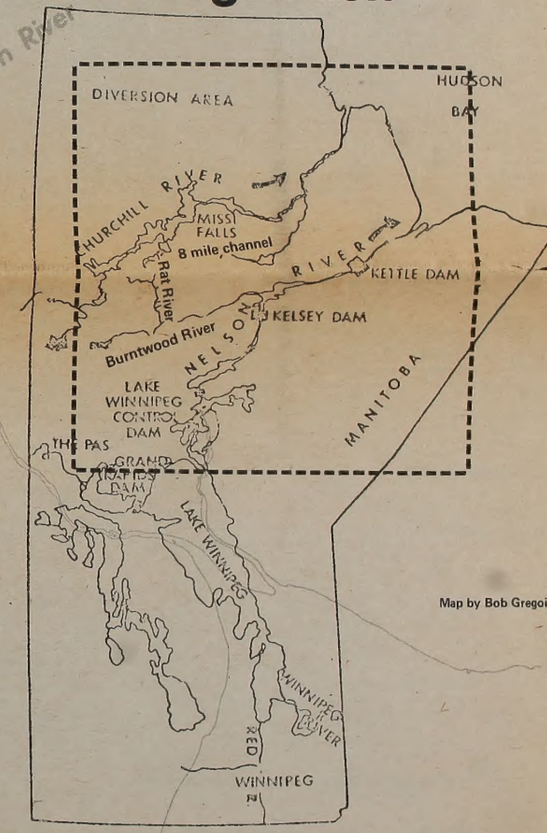
Now that the southern planners have made their decisions, and moreover, carried them out, the government is urged confidentially to provide more information to the communities. A noble, yet meaningless gesture.

What are Northerners to do with the information that the province will hopefully make available? The briefing notes are also quite frank on that question: they can discuss compensation.

"...the community should participate in formulating compensation and mitigation alternatives."

Simply put: "Well, we're really about to mess things up for you. How much do you want in return.?" The question of whether all these costs are worth the benefits has long ago been skipped over.

The plan for Manitoba water regulation



Map by Bob Gregoire

The basic Manitoba Hydro plan for Manitoba's Northern waterways breaks down into three parts.

1) Power plants on the Nelson River.

2) Regulation of Lake Winnipeg. The control structure and channel works at the North End of the Lake will be able to hold or release Lake Winnipeg water into the Nelson River. As well as augmenting the power capacity of the Nelson plants, this is intended to keep the level of Lake Winnipeg more constant than at present.

3) The Churchill Diversion—by damming the flow of the Churchill at Missi Falls on the east side of Southern Indian Lake the water in the lake will rise to a higher level, overspilling its shores—to within 8 miles of the Rat River system. A channel blasted through the remaining rise will (in October 1975) allow 30,000 cubic feet per second (cfs) to pour through the (now relatively small) Rat-Burntwood system into the Nelson River.

Notigi Dam is the control structure designed to regulate this flow.

POLAR PAM 4582

POLARPAM

Northern clergy tell of the human effects of

by Laurence Wall

The possible ecological effects of the Churchill River Diversion have now been discussed with increasing frequency. But as is the case in matters such as this, it is the people who are least discussed, almost ignored.

How will the Diversion affect the people of Northern Manitoba? What is in store for them in the future when they are forced to leave their traditional hunting and fishing grounds?

The following interviews are from people representing different organizations—the Inter-Church Flood Committee and the Northern Flood Committee, but their concerns are the same. All the people interviewed have been to those parts of Manitoba which will be most affected by the Diversion, some as recently as this September. The reactions to the trips north are interesting in that some of the reports are conflicting—one asserts that prostitution is rampant while another doubts even its existence; there are reports of both doubt and admiration expressed for the Indian leaders. While inaccurate observations are one possibility, more likely it is an indication of the very confused situation existing at South Indian Lake, Cross Lake, Nelson Lake, and other communities to be affected by the Churchill River Diversion.

During the taping of interviews with Menno Weibe and with Bryan Teixera at Westport Church in Winnipeg there was a loud thump on the high window of the church. We looked up in time to see a sparrow bouncing off the window, dead as a doornail. There was absolute silence in the room, and then Menno spoke very softly.

He said: "If we were in South Indian Lake when this happened, everybody would be quiet for maybe half an hour. Then somebody would talk about this event saying that the spirits were not happy about what was being discussed. At that point, the flow of conversation would change abruptly to another angle of the particular conversation. This is how decisions are sometimes reached."

The following interviews give some idea of the effects of the Provincial Government's Churchill decision on the inhabitants of Northern Manitoba. A decision made in the South, with almost no input from sparrows and Northerners alike.

"To destroy this environment...is to assault the very identity of the people."

Rev. J. Douglas McMurty is a member of the United Church Conference Staff as well as a member of the Inter-Church Flood Committee.

"Eva Moose is speaking at a meeting outside the community, where the power project is being discussed. She is trying to express her feelings about the prospect of seeing hundreds of miles of the shoreline of the lake reduced to a backwater of dead trees and sagging mud. Words fail her and tears are all that will come. Eva is not used to weeping in public, because she is normally a very calm and practical person.

Her tears at the meeting are a sign of the deep attachment of Indian people generally, and of South Indian Lake people in particular, to the land and the water, the trees, and the whole natural environment which is their home.

To destroy this environment, or seriously damage it, is to assault the very identity of the people. Such an assault could only be carried out by a society which has lost a significant part of its spiritual inheritance, the part which the Indians are struggling to retain.

About four years ago in September I went with the United Church Minister to visit one of the fish camps on South Indian Lake, It was an all-Indian operation, including the fishermen bringing in the catch, the people weighing the fish and packing it in ice, the storekeeper and the general manager. In spite of the long hours and hard work, there was a relaxed and happy atmosphere: with the co-op store so handy, food was plentiful and varied; some people were camping in family groups; they were doing well financially; and they were taking obvious pride in producing some of the best pickerel and whitefish in the whole Manitoba fishery. How unbelievable to hear that not one commercial fisherman was out on Southern Indian Lake this past summer. Nevertheless, it is true.

The withdrawal from fishing is the clear sign of the disorientation of the whole community. For them to withdraw from fishing, which is not only their main industry and source of income but their way of life, is a sign of very serious social dislocation...The people are hurting and they are hurting bad."

"The studies have already been made without our involvement or our consultation. In our presentation to the Minister of Indian Affairs, we suggested that they prolong one particular part of the study which is the socio-economic impact study, in which we want to have a direct voice as Indian people.

I guess they did a whole bunch of studies and at the tail end...thought that it might be a good idea to do something as far as the social-economic study was concerned."

--Henry Spence,
Chairman, Northern Flood Committee

"The white man is moving in, so the native just moves back. And...you move in a little further."

Bryan Teixera was, until recently, a member of the St. John Boscol Centre in Winnipeg. When this interview was taped, Bryan has just come back from a trip to South Indian.

"I guess the main feeling I have from a lot of the communities is a kind of lack of knowing what's happening to them but just knowing that something pretty important is going to happen.

At South Indian Lake...I think you can see a sort of depression. And just talking with people out there, you can see the morale of the community going down and drinking increasing. Recently, because some of them are getting paid off for cabins that are going to be flooded, they're being given some sort of compensation in money that they wouldn't normally have in a lump sum. That's leading to a lot of poker games, so people don't want to work anymore. They just sit around—they've got a large amount of money. So that's also affecting them.

The whole community is just slowing down. Within a short time, they're going to have this new town site and next year the flooding is supposed to be finished. So all these people are supposed to move into a new town site in less than a year from now. To what? Nobody really knows what's supposed to happen after that. When all the excitement dies within a year, what then? What is everybody supposed to do?

Earlier this year, the mayor had written a letter to the premier and was asking for more job training...because the old way at least will be temporarily if not permanently changed. So they almost have to learn how to live in a village, urban-style. They don't have the skills for that, most of them anyway...

There was a lot of drinking, both in the camp and the town as well. The thing that I noticed as well was a rise in alcoholism.

What I saw was a lack of morale in these people: just plodding along, whether they were construction workers or ordinary people. Everybody was half-dead.

The workers there are just hired by construction companies so they really aren't Hydro people. There are a lot of Portugese, some of whom can't even speak English. This causes a problem in the community. They've brought in people for all the higher-paying and skilled jobs. They've found it easier to import people from Winnipeg than to try training some of the natives, which might have been a little more tedious in the beginning, but which would have given a better future to the people up there.

News of the flooding brought on a feeling a shock to South Indian. Then for a while, that brought on hopelessness. Within the last five months though, a few leaders have been coming up who have really brought a fight into the whole thing. They were willing to fight at the legal level. That's changing the scene a little bit because they're inserting a certain amount of hope into the whole thing.

I don't know how realistic the hopes are. What they hope to achieve is difficult.

The first reaction was just to sit back and take it just like they've always taken it. The white man's moving in so the native just moves back. And when the Indian moves back you move in a little further. Over the past five months, these eight communities have pulled together to fight. Over July and August they've also tried to link Churchill and Thompson.

They're going to get compensation, but I don't think anywhere near what they describe...unless there are attempts at job training and more creative ways of compensating besides just giving a person a lump of dollars."

"These people saw a time when the hammers would be silent and there would be only welfare."

Rev. Jack McLachlan is chairperson of the Inter Church Flood Committee and is part of the church community in Winnipeg.

"My visit to South Indian Lake last winter was many things, but primarily it was like an experience of tumbling, like Alice in Wonderland, through the looking glass into another world. Governments and development workers, and engineers are puzzled because they are received by the Indians with blankness, hostility, or—even greater rejection—humour.

I got to know the Indian people's world at South Indian in what proved to be a Quaker-style meeting around a wood stove in the local church. As we met one another, I found a deeply independent and noble people. Independent because of years of fighting hardship while providing for themselves and their children that would have, I am sure, destroyed me. They did not need to tell anyone of their independent spirit.

When they said they did not want flooding, but the preservation of their culture based on their living in unison with their world, one knew immediately this was not some ploy to bargain for greater prizes from Hydro. After all they were a people who had a heritage that went back to before Columbus, and beyond in this very community.

I began to understand that they had clocks that ticked with the rhythm of the ages and a method of communication that read not the words of man but his inner intentions. Now I understand why they turned dull faces to surveyors, enginners, and government men who flew in and out the same day. These intuitive people read that these men wanted the answers that they

a development that ignores the people

already had in their minds before they came. They came to get things for themselves, protect their jobs, or assumed that they already knew what was needed.

From listening to these people I heard their greatest concern and deepest anguish was in the end not for themselves but for the future of their children. (There are 200 children in school at South Indian Lake grades 1 to 8). These people saw past immediate jobs of brush clearing and building and Hydro projects. They saw a time when hammers would be silences and there would be only welfare. They saw their children destroying one another because they were not men, having to live on welfare. They saw the hunting and fishing gone and the ways of earning their independent livelihood destroyed creating in these noble people a great fear of losing their independence.

We on our side of the looking glass are perplexed—what a great opportunity for good houses, schools, development, we say. But we are looking into a mirror at our wishes, our dreams, unaware that there is another world behind the looking glass."

'In any kind of development in the North, it's the Indian people who get the dirty jobs."

Henry Spence is chairman of the Northern Flood Committee. Working out of Thompson at present for the Committee, we nonetheless managed to catch him in Winnipeg for a first-hand report.

"In any kind of development that takes place in the North, of course, it's the Indian people who have the dirty jobs. They have the pick and shovel, they make the foundations for homes, all these low, menial jobs. Once those are finished, then they don't have any use for Native help.

But I think the whole basis of these kind of developments is the fact that, once more, the Indian people are let down. This kind of development has no benefits for them.

All it's going to do is destroy their land and their livelihood, so the Indian people tend to be frustrated and depressed and they resort to things like drinking. I think this happens in any town where there is a major development, where there is a whole force of labourers coming in from the outside. It seems the only recreation for them is to drink...

I think the people are going through a terrible ordeal. Already the effects are visible: The lake is going down considerably and this is very noticeable. They're wondering, once that dam opens at Notigi Lake and all that water comes shooting down. I think the people are afraid. Of course they're very concerned...they don't know what's going to happen.

The people are still against the whole Hydro development. Because they know it's going to destroy their homes, their lands, and their livelihood. And they are concerned about the future. Their lives are at stake and their childrens' lives. They are very concerned and rather frustrated by the whole process...

If they can't go out and hunt, fish, and work, I guess most of the people in the North will have to go on Welfare for their living...I don't think there is any effort on the part of government to train the Northern people for the highly-skilled jobs...

Five hundred dollars for compensation—they can spend that in two days or even one thousand dollars. It doesn't last too long. Especially for a person who has no job or anything of this sort. One thousand dollars doesn't mean a damn thing.

I don't think the people themselves are being compensated. I don't think I'd like the government to compensate them. I'd like them to stop the whole goddam project."

"Whether this means the end of the Indian people, of their way of life, is a good question...I'm scared of it."

Menno Weibe is affiliated with the Mennonite College in Winnipeg. His specialty is anthropology and has spent a number of years studying the Ojibway people of Manitoba.

"It's common knowledge that the white men, the Hydro people come into Cross Lake and the usual words are: 'Here come the studs.' Prostitution is probably rampant there, and I'm saying that from the general flow of discussion that you hear in the community remembering that the Cree people usually talk only in round-about terms of the prostitution thing.

So that's a very major problem, along with the fact that earnings are high by the Cross Lake residents who are employed at the dam. Access to liquor makes drinking really into an orgy. There seems to be no social controls on the drinking. It's wide open.

When you have the money, you can charter a flight into Thompson or The Pas to bring in the liquor. That's what's happening. It's been the pattern for some time but it's stepped up a lot as a result of this thing. It's probably encouraged by the whites who work at Jenpeg. They have access to liquor in an easier fashion than the Indian people.

Indian people, if it's fair to generalize...are circumspect in their communication. They won't talk directly to you, they'll talk via another person. That's how the communication pattern goes and that's at variance with the way whites communicate. Particularly the progressive, industrialized white who says things in very square fashions and head-on confrontations and they want head-on answers.

The Indian people won't give them head-on answers, or at least haven't. So the feelings have been submerged and usually the quietness has been misread by government and other people as a passive submissiveness. I think it is probably correct to say there is a lot of apathy in communities where I have worked and tried to generate interest or just create an occasion where you can talk about the flooding thing. The first half hour is very, very quiet. As you begin saying what the real effects will be, then you have a moving away of the apathy. Then the real concerns come out. They will come out quite forthrightly, like in the public discussions.

My background is anthropology, my field has been the Ojibway people. I guess I'm discovering that the biggest flaw has been in not being able to read Indian people. The administrators are always in a hurry and can't sit on a log long enough with the Indian people to hear them.

I just had a long five-page letter from a medical intern person who spent a summer at South Indian Lake. We did quite a bit of discussing before he went up so he knew my concerns about the flooding. But he brought back very interesting feedback...

After one sermon, this one woman came up and her response to the sermon was: 'I wonder what's going to happen to the little white birches around my house...'

I'm citing this as an example of how the comeback, how the feedback is from the Indian people. They will talk in this kind of language, which can be easily written off as irrelevant to the subject or as some kind of sentiment. But I know this is the only way we will be able to read the people, if we will read them.

The Indian people have an 800-year cultivated ideology of being able to come to terms with fate...the hunter going out never knowing if he will return. There is a tremendous capacity to accept it, as I have noticed in the North everywhere. The way to handle crisis and death by the Indian people I think is unsurpassed by any people in the world...I think they are able to accomodate even death. The surrender to Manitoba Hydro, this overpowering thing: they have the ability to surrender to it. Whether this means the end of the Indian people of their way of life is a good question...I'm scared of it.

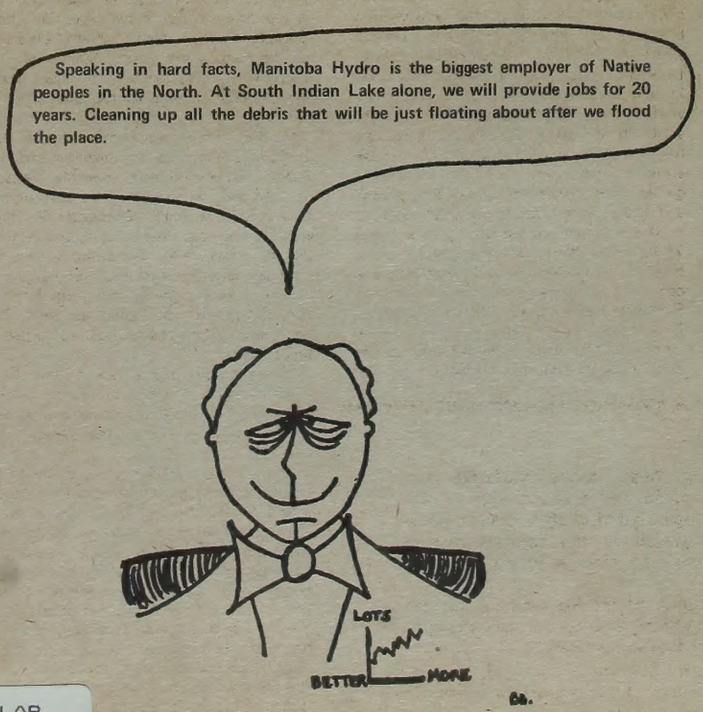
The fact is that grants have been made available...people have been engaged to do major studies on the engineering matters of land, the flooding heights, etc...the feasibility and the most economical plan. We've spent our money on that and some money on the environmental effects.

That we haven't spent a dollar on what happens to the people is an indication of where our priorities lie, with our relationship to the Indian people...."

"They just went ahead and built the dam. They didn't inform the chief or council; they just went ahead... When the dam was built, it destroyed the livelihood of the people. There was a place where you could get a lot of ducks, muskrats, and moose.

There was a lot of Game before Hydro came. But what has happened now? It's as though everything is dead. You can't live off the river now. The fish aren't good anymore. There are no more sturgeon. There used to be in Split Lake, but no more."

Adam Dyck, Ilford
born in 1897 at Split Lake


Speaking in hard facts, Manitoba Hydro is the biggest employer of Native peoples in the North. At South Indian Lake alone, we will provide jobs for 20 years. Cleaning up all the debris that will be just floating about after we flood the place.
LOTS
BETTER
MORE

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POLARPAM

Cheap power means cheap treatment of people, nature

from a presentation by Bob Newbury, former Water Commission employee

The Churchill River diversion controversy has raged in Manitoba for over 5 years primarily because the plan to block and divert the Churchill into the Nelson River has remained basically unchanged.

Minor changes in water levels and clearing procedures currently proposed have little effect on the environmental and social damage predicted for the original project plan.

Certain facts should be made clear:

1) For almost 2 decades there is sufficient Hydro-electric power ready to be developed on the already-committed Nelson River without touching the Churchill. The Nelson River power potential can meet Manitoba's needs until 1991.

The addition of Churchill water to the Nelson via the diversion will only add four years to the period for which Manitoba's power needs can be supplied by this river.

But Manitobans can safely wait for another seventeen years before being forced to decide whether four additional years of power is worth the loss of the Churchill River.

And this is under the Manitoba Hydro assumption that Manitoba's hydro needs will continue to grow unchecked at 7% forever into the future. If we assume, more sanely, that more efficient and moderate energy use will be encouraged, then the safe period becomes still longer.)

The Churchill is presently the last large river in the province still in its natural state. A 17-year period of grace would give Manitobans time to better measure the true value of the last great river and its communities for habitation, fishing, wildlife, recreation, tourism and conservation.

Nowhere is the cost of the loss of the Churchill River calculated. Its existence, aesthetics, native community options, ecology, and unique role of creating a liveable environment in an otherwise harsh land are considered to be worthless in the energy budget.

2) Not diverting the Churchill River does not affect the use of the Nelson River plants or transmission facilities. Nor does it significantly affect the cost of power, economic development, or employment for 17 years.

Not developing the Churchill for 17 years would result in a maximum power cost increase of 10 percent. But economic, environmental, and social costs of going ahead with the project should be subtracted from this.

Ten percent seems insignificant when set next to the billions of dollars the project will ultimately cost, or the billions of dollars that a recreation resource or a liveable environment will be worth in the future.

The question is whether a maximum power cost increase of 10 percent is worth keeping our options open on Manitoba's last great undeveloped river.

Manitoba Hydro says the cheapest power resources should be used.

But cheapest power is also the cheapest treatment of native communities and the cheapest legacy of natural resources that we can leave to future generations.

South Indian Lake Impact Study

Preparing the public for inevitable failure

In 1960, Duff Roblin's Conservative government constructed a dam at Grand Rapids and flooded the Cree and Cree-Metis community of Chemahawin. No in-depth studies were carried out prior to construction and community members were given no opportunity to affect the decisions that would alter the fate of their community.

When problems with alcoholism, community fragmentation, criminality, and unemployment followed on the heels of the Grand Rapids power development, critics were stinging in their attacks on the callousness and lack of foresight of the provincial government.

When the time came for another community to be inundated—this time South Indian Lake—the Schreyer government remembered the criticisms aimed at the Conservatives. Together, the provincial and federal government set up a "scientific" study of South Indian Lake and the potential impacts of the Churchill Diversion on that community.

The report of that study group— **"The Social and Economic Impact of the Nelson River Hydro Development"** -was released in June 1973.

Despite its pretensions to "scientific objectivity", the most casual reader will recognize the report for what it is: a political tool to justify the destruction of a traditional Cree community by the Churchill Diversion project—and what is more, to establish the absolute "necessity" of this occurring.

The Conservative experience at Chemahawin was a blunder of some magnitude. This study of South Indian Lake was conducted not so much to determine how to avoid such blunders, but how to avoid being accused of them.

Obviously, once the damage is done, after-the-fact excuses about good intentions gone bad in the implementation will convince no one.

Preparations must be made in advance for the eventual day of accounting. One way to do this is to prepare "proof" ahead of time that the course taken was the correct and appropriate one.

The government impact study of the diversion and its effects on South Indian Lake starts from the basic assumption that, history being what it is, it will be neither possible nor desirable to live in a traditional lifestyle within the very near future.

In fact, says the report, even now the traditional lifestyle and economic self-sufficiency attributed to the community are a myth.

The Cree way of life in South Indian Lake is disintegrating of its own accord, as a result of a variety of external influences, say the report's authors. The Hydro project will merely speed up the rate of change.

If the diversion project is not the cause of community upset, but only an accelerating factor, then the government cannot be expected to be paying damages forever. So goes the reasoning.

But the reasoning is fuzzy, to say the least. To show this, one need only return to the first premise upon which all the others are based—that the traditional Cree lifestyle has failed because the community is no longer economically self-sufficient.

What's the proof? South Indian Lake, says the government, receives $148,200 each year in "non-traditional social assistance". That's about 28% of the community's total income.

It sounds like a lot until one probes a little deeper. In actual fact, only 3.89 percent of the total community income consisted of payments to unemployed employables not 28%. The government's report, through design or clumsiness, gives the false impression that South Indian Lake is a vast money sink where welfare bums gobble up the taxpayers hard earned money.

It turns out that 43 percent ($64,200) of the amount paid in "social assistance" was actually in the form of old age pensions and family allowances. These hardly constitute "proof" of a community languishing on the public dole.

What about the other 57 percent? A total of $84,000 was paid out as social assistance or "welfare".

Of this amount, $72,765 is paid to treaty Indians. But only 28% of the money to treaty Indians goes to unemployed employables — or $20,374.20.

Non-treaty Indians who are considered unemployed employables received all of $618.86 in 1972.

All the rest of the money paid out to South Indian Lake residents in the form of welfare was for health reasons or social reasons (such as unmarried mothers, orphans, etc.)

Unless one views the disabled, the aged, and orphans as leeches, the total sum of "unjustified" social assistance is less than $21,000—or about the salary of the senior author of the government report, who works at the Assistant Deputy Minister level.

The report comes dangerously close to mishandling its information in order to convince the reader that its main conclusions are accurate—that change is inevitable and that the Churchill diversion is good for the community.

The report not only casts doubt on the ability of South Indian Lake's traditional culture to survive, but it also questions the ability of its citizens to even decide rationally what is and isn't good for the community.

The trauma of massive change that has been and will be experienced by the people of South Indian Lake is so great, say the reporter's authors, that the people become confused and utterly unable to distinguish fact from fancy.

It is assumed that clear-headedness and sound thinking are marked by complete agreement with the government.

The report states that "feelings of fear, doubt, anxiety, uncertainty and mistrust, i.e. feelings of 'not knowing', have resulted in a universal community goal to stop the flooding, to be left alone, and to maintain a traditional lifestyle which they have developed and which they **know**".

The report recommends that a temporary halt in construction be considered to give the community time to come to the conclusion that the project isn't such a bad idea after all.

"This period would provide the community and its decision-makers with a breather during which time it could sort out the information it has, separate the relevant information from the irrelevant, distinguish 'fact from fancy', and generally consolidate its position."

The report goes on to recommend how the community should be convinced of the benefits of the project.

"Ensure that information that is provided is discrepant enough to a position people hold and presented in such a way as to lead to a change in attitude; but not so discrepant, or in such contrast to the people's position, as to be conveniently refuted by them."

What is being advocated here, of course, is information control (propaganda) and attitude engineering (brainwashing).

But the report's authors are also prepared for the likely event that the native people in South Indian Lake won't come around to the government point of view, even given time to think it over.

In the best Boy Scout tradition of "being prepared", the authors set forth various types of characters that may be found in any community. These types range from the "active participant", who is self-sufficient and achieves his goals in life completely through his own efforts, to the "chronically dependent" individual who is completely incapable of "paying his own way" in society.

If the government fails in its bid to have the project welcomed by the community, it will only mean that there is a preponderance of the dependent type of individual in South Indian Lake. If problems result, it will only be because the Indian culture has failed to prepare individuals for adaption to environmental and technological innovation.

To have such a notion about a people who adapted successfully to 20 millenia of environmental change is inexcusable.

In one respect, the authors of the government report on South Indian Lake are correct — blame for the future of South Indian Lake cannot be attributed solely to Manitoba Hydro or the developers.

They are also correct in asserting that change such as they have predicted is inevitable.

Any person living within the shadow of wealth but outside the sphere of its control will meet the fate of the people of South Indian Lake.

It is inevitable as long as there persists an economic system and structure that encourages the wealth and well-being of some to be accomplished by perpetrating poverty and misery on others.

By Doug Elias
former Saskatchewan Churchill information officer

Letters to premier, ministers, Hydro still unanswered

Dear Sir:
This fall, the Manitoban plans to publish a special issue on the Lake Winnipeg Regulation and Churchill Diversion projects now underway.

We hope you share our feeling that with a project as large and irreversible as the Churchill-Nelson scheme, it is important that the public be fully aware of the plans, alternatives and respective ramifications and that the more information the public has access to, the better.

Information is especially vital in view of the fact that to many Manitobans, the Northern half of our province is distant and unfamiliar.

It is with two aims – attempting to remove some of that unfamiliarity, and providing access to full information – that we request answers to the following questions at the earliest possible time.

This letter is being sent to Hon. Ed Schreyer, Premier, Hon. Sidney Green, Leonard Bateman, Chairman, Manitoba Hydro, Ron McBride, Minister of Northern Affairs.

(If any of the questions that follow are more appropriately directed to one of the above gentlemen, they will be able to answer those questions without the necessity of our writing another letter or letters. If your permission is required in any such case to allow them to give the information requested, we would appreciate your doing so and in the event you choose not to do so, please inform us of your reasons.)

We would like the following information:

1) Maps of Manitoba showing water levels of all affected bodies, a) Before the Churchill Diversion goes into effect and b) After the Churchill Diversion goes into effect.

2) A construction schedule containing commencement and completion dates for all regulation features – dams, dykes, channels, pumping stations, transmission lines, etc. Please include expected dates for closing off each major control structures.

3) Specifically, what is the timetable for the suggested mitigation structure at Nelson House? Are the pumps ordered for this mitigation structure? If so, when were they ordered?

4) Past copies of Manitoba Hydrogram (or circulars sent with phone bills) that deal with the Lake Winnipeg-Churchill-Nelson projects.

5) Has the water level in the Churchill or the Nelson already been affected by construction on the Churchill Diversion? Please supply water levels at South Indian Lake, and flow (cfs) below the Missi Control structure for the period 1970 to 1980. Annual figures should suffice, but quarterly figures during the construction period would be helpful.

6) a) The projected costs of the project with breakdown indicating the contributions made to total cost by lost recreational facilities and income, lost fishing income, lost mining production as well as, of course, construction cost and interest payments on borrowed moneys.

b) The projected annual returns from the project from exports of surplus power, breakdown contributions to this total from U.S., Saskatchewan, Ontario, others.

c) Annual projected Hydro rates for Manitobans till 1995 both with and without the Diversion.

7) Do Alberta and Saskatchewan, under a prairie provinces agreement have the right to withdraw a total of 75% of the Churchill's flow before it reaches Manitoba?

At what percentage of its present flow will the Churchill no longer provide optimum power for the Diversion if completed according to present plans? Specifically what will be the generating capacity of the Nelson power plants if the Churchill has a) 100% of present flow b) 75% of present flow c) 50% of present flow d) 25% of present flow.

8) Are there any plans to divert the Seal River into the Churchill in the event that Alberta or Saskatchewan remove water from the Churchill? If so, what will this diversion cost? If studies are underway who is doing them and when are they expected to be completed?

9) It has been often said that the Churchill Diversion is needed to provide electrical power which Manitobans will eventually need.

Are you aware of any plans to develop a uranium enrichment plant at York Factory, using large amounts of Churchill-Nelson power to provide enriched uranium for export to Britain, France, the United States. (If not, please see the June 1974 issue of Nuclear Engineering International available at the Pinawa Library).

Has the Manitoba government a) had any discussions OR b) entered into any agreement with the Brinco Corporation regarding this plant? Would it consider doing so?

Yours truly, etc.

Gov't reluctant to provide info on project

Information about the Churchill Diversion seems unusually hard to come by. The provincial government has been less than anxious to answer a number of requests for technical data.

Early this year, the Northern Flood Committee (NFC), a coalition of 8 northern communities and Indian bands became aware of the fact that the Federal-Provincial Study Board had completed many of the 72 studies it had commissioned on the project and that the provincial government had these reports. The Study Board has spent $2,000,000 dollars on the studies.

The NFC felt that they should have access to any pertinent information, as they stood to be directly affected by the Diversion. The committee began to request release of the reports.

Three months of correspondence transpired, with the NFC requests for information either referred to other government officials, or answered with assurances that the information was being prepared.

In mid-August the Committee was still not in possession of either the Federal Provincial Study reports or the maps, construction schedules and technical information they had requested.

Henry Spence, the committee chairman, suspects conscious delay tactics on the part of the provincial government.

"The later the information comes out, the better for the government. The longer they wait, the closer the Diversion is to completion. And no matter what kind of drastic effects are revealed, they can just say, 'it's too late to turn back now'."

It was late in August that the Northern Flood Committee finally got a commitment for part of the information they wanted – the Federal Provincial Study reports. But it took some hard bargaining to get them. Earlier in the summer, the Nelson House Band Council voted to expel all Hydro officials from the reserve until the information was released.

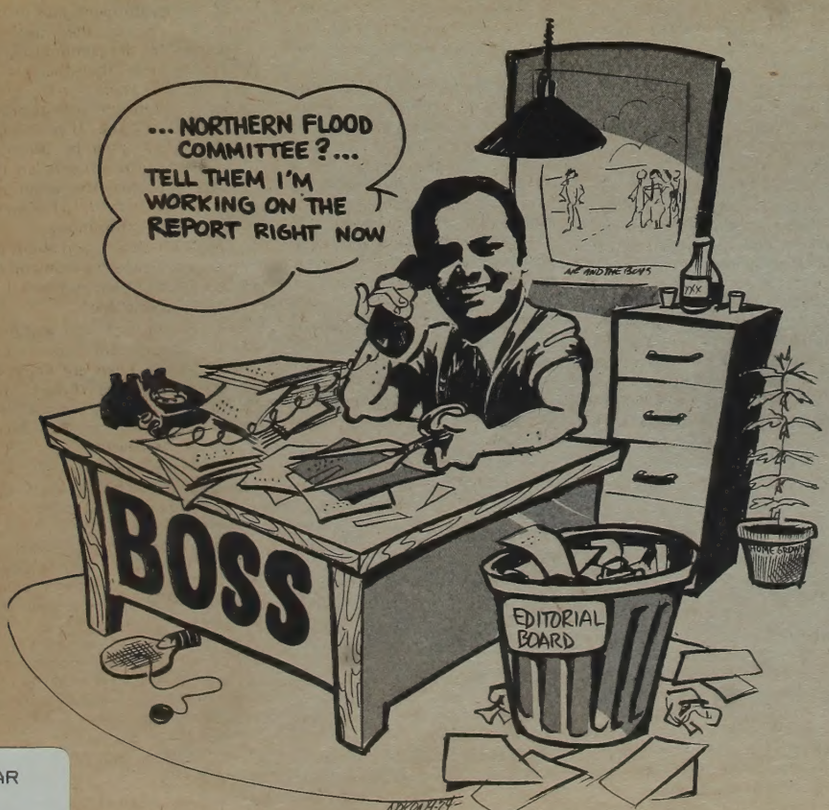
Hydro wanted to do studies at Nelson House for a proposed mitigation dam to prevent the diverted Churchill waters from backing up in *Footprint* Lake on which the Nelson House reserve is located. Flooding Indian lands without the Federal government expropriation order is in direct violation of the Indian Treaties.

Finally, a trade was made, and the Band rescinded its ban in return for the reports.

The documents were released to the Committee's lawyers.

The Committee still has doubts that they have received all of the information however.

Ken Young, information officer for NFC said, "Our engineering consultants were unable to complete an affidavit based on the reports. There seems to be important data missing."



Questions fall on deaf gov't ears

On August 12, the Manitoban initiated its own quest for the elusive technical information. To avoid time-consuming referrals, the letter (see above) was sent to all likely officials: Premier Schreyer, Environment Minister Green, Hydro Chairman Bateman, and Northern Affairs Minister McBryde. All were asked to forward the information if they had it, give any necessary authorization if one of the other gentlemen had it, or inform us of the reasons for confidentiality if the information could not be sent.

It seemed rather simple. But as of October 29, two an one-half months later, the only response was from Mr. Green. And rather than dealing with specific questions, he sent only a voluminous bundle containing copies of his speeches in the Legislature regarding the Diversion.

A phone call was made to Schreyer's office on September 12, inquiring about the lack of reply. It was "still on the Premier's desk", but the reminder would be passed on.

We are still waiting.

Simply put: "Well, we're really about to mess things up for you. How much do you want in return?" The question of whether all these costs are worth the benefits has long ago been skipped over.

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Cross-Canada resource grab sparks issue

Indians claim land and treaty promises...

Giving the land back to the Indians won't be a mocking phrase much longer. All across Canada, native land claims are going to court—and signs are the claims are solid. For Indians and Inuits in all parts of the country, the land issue has become the focus of native political activity. Native groups are probing the status of the hundred-year-old treaties and the rights of aboriginal claims.

Like some oracle whose meaning is different things to different people, the terms of treaty settlements and aboriginal claims are shrouded in legal interpretation and original intent. It will be unravelled in the courts—and the process will take a long time. The decisions reached there will decide the future of native peoples in Canada.

The interest in these land claims and the push for quick settlement springs from several sources. The biggest spark is resource development and developers in this field—both private industry and provincial governments—want the issue out of the way. The crisis climate of energy shortages and burgeoning demands are sending whites into northern areas ignored for years. In the past, the Canadian North was seen as a worthless wilderness, or a wilderness whose worth was unreachable.

In this climate of opinion, the native population had no challengers in the North. But now, these regions have become the Valhalla of fuel and mineral deposits and hydro-electric potential. Attention is focused on the mid-Canada corridor—and thus, on the natives and their claims to these areas.

Another spur has been the development of leadership and common purpose within the native movement. National native organizations and strong regional groups now speak for the native peoples. This is a development of the '60's. Native leaders are articulating their stand and have been pushed to action by young militants coming up through the ranks. Formerly, native protest wasn't organized in ways white officials understood. There was apathy created by 100 years of federal paternalism and internal squabbles. But that era in native politics has passed.

The common thrust of the new wave is the land question. It's been growing as an important issue since 1969, when the Indian people roundly rejected the federal government's proposal for a new Indian policy. It advocated doing away with the Indian affairs branch, turning federal responsibilities for Indian affairs over to the provinces and handing the reserve lands to band control. Native leaders denounced it as a policy of assimilation, an abrogation of the treaties. The and there they stated that the native land claims had to be researched and settled before control changed hands.

Basically there are two grounds for settling the land issue-**aboriginal rights**-claims made on the basis that a certainpeople have lived in an area long beyond memory; and**treaties**-the contracts signed between government representatives and the native people at the time Canada was expanding its boundaries.

There are 14 treaties in all, covering 120,000 Indians. There are also 238,000 registered Indian people who never accepted reserves. The Indians of Quebec and British Columbia made no treaties. And amongst existing treaties, there's evidence of forgery and misunderstood intent—to the detriment of the native claim. It all adds up to a legal mess and the legal battle has barely begun. Through it all, there is the political pressure for resource development. All parts of Canada are involved.

Manitoba: Until a few weeks ago, natives from northern Manitoba had planned to go to court for a declaratory judgment or statement on their treaty rights. At the beginning of October, the committee received a letter from the new Indian Affairs minister, Judd Buchanan.

In it, Buchanan re-affirmed support for the committee and promised funds for its continued operation—providing certain conditions were met.

These included a delay in any court action for 60 to 90 days and a request that the committee sit down to negotiate a settlement with the province. Buchanan suggested the waiting period be used to assess the Hydro impact reports recently turned over to the committee's consultants.

The money promised the committee—about $168,000—is to be allocated in monthly payments upon review of the conditions set out in the letter.

Aboriginal land rights are the basis for many native claims now before the courts are headed there. Aboriginal claim was first rejected by Trudeau and his government. Then came the firm rejection of the new Indian policy in 1969 and the Alaskan settlement. The U.S. government paid Alaskan natives millions on the basis of aboriginal land claims. Then, in Canadian courts, there were two decisions made in favour of natives with aboriginal claims—the Nishga Indians of British Columbia and natives in the Northwest Territories. This gave the base point for negotiating land settlements and the federal government recognized that aboriginal rights were indeed sufficient basis for land claims.

Simply put, aboriginal rights are those property rights which the native peoples have because they live and have always lived in a particular area. Some of these claims were extinguished by treaty, and it's still not certain if others were extinguished by the British North America Act and the Indian Act. These are more legal battles. In white law, the legal precedents for aboriginal rights developed over several centuries.

For your own good, we won't let you go to court. After all, it'll only create bad feelings. Anyways, the lawyers will just talk in a language you won't be able to understand and then, they will take your money. We, on the other hand, will take your land and give you reasons you won't understand, but there will be no charge. That may not make a lot of sense to you, but it sure makes a lot of sense to us.

In the original plan of action, four reserves, Nelson House, Norway House, Cross Lake and Split Lake were asking for a decision that Hydro, in proceeding with development, would affect treaty lands and therefore violate the Indian Act.

In effect, the Manitoba case is a test case for treaty land claims. Whatever the outcome, it'll set the precedent for other actions across the country.

Henry Spence, chairman of the Northern Flood Committee, has said the Manitoba case will tell whether or not the treaties are worth the paper they're written on. In June, former Indian Affairs minister Jean Chretien promised support for the committee in any legal action. It may have been just an election promise, but the committee feels that Buchanan's support is not as strong.

So far, the province has argued that a joint provincial-federal agreement signed in 1966 to develop hydro power in northern Manitoba was tacit agreement to let the province involved treaty lands. Premier Ed Schreyer has said he is willing to give every compensation, but is unable to stop the project.

"It's gone too far for that," he told the committee in June.

The threatened court action from the four reserves is not the first taste of legal action for Manitoba Hydro. South Indian Lake, a community already undergoing hardship because of the effects of Hydro development, went to court last year. The community is really an offshoot of the Nelson House reserve—and as such, not located on treaty land. In historical terms, it's a recent settlement. The court denied the request for an interim injunction—or stopping of Hydro work until the case had been heard. The suit for a permanent injunction is still pending.

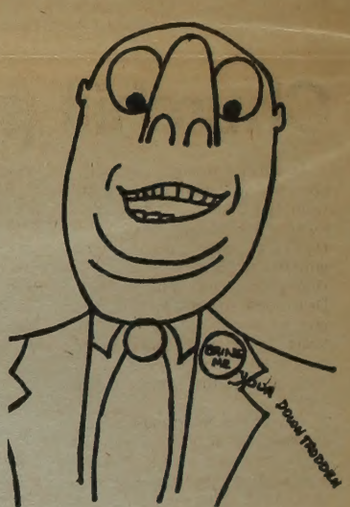
In fact, the reasoning behind the treaties was the recognition of aboriginal claim. The Canadian government, influenced by British law precedent, negotiated with the native "owners" in order to clear the title and way for white settlers. "Owners" is put in quotations because it seems certain those native leaders of 100 years ago had no concept of land ownership as the whites understood it. The first negotiations with the Indians stem from a 1763 proclamation made by King George of England after the British conquest of French-Canada. The proclamation set the procedure for dealing with natives beyond occupied areas. The matter was to be dealt with at open meetings and the land transfer needed the consent of the majority of the male members of the tribe. This same ruling exists in the Indian Act.

Where treaties were made, mainly in the prairie provinces, there are fewer legal hassles. The land titles search and defence doesn't probe history, sociology, anthropology and archeology to establish the claim. It has only to go back 100 years to the period 1870-1876 when a bloodless series of negotiations settled the land claim. Those treaties were white contracts and stand up in any white court.

Quebec: Aboriginal claims are also standing up in court—but the issue is less clear-cut. James Bay, the site of massive hydro development by Premier Bourassa's government and Quebec-Hydro is a good example. The Cree Indians of James Bay successfully fought for an injunction against Hydro development until native claims are settled. The battle took several years—and was overturned in several days by the Quebec Supreme Court which said the project shouldn't be held up while settlements were discussed.

As it happened, hydro development has been held up—by massive labor unrest. The land claims issue is still in the courts. Like British Columbia, Quebec never made any treaties with its native people. So any discussion of land claims and settlements is a complicated affair.

North-West Territories: The Inuit peoples of the Northwest Territories have no treaties, so the issue of aboriginal land claims has to be settled in the courts. The Indians in this area have treaties, but no reserves were every assigned. Natives signing the treaties—some of them only in the 1920's—did not understand the letter and intent of the documents. They thought they were simply peace settlements and a promise from the government that their way of life wouldn't be changed. They had no intention of surrendering their land—so they never accepted reservations. One court decision, now under appeal from the federal government, sided with the natives that the original understanding of the treaties was a peace settlment.



The Mackenzie Valley pipeline proposal and Delta development have great consequences for the native peoples of the Territories. Justice Thomas Berger was appointed in March by Chretien to look into the social-economic impact of the pipeline—and propose terms and conditions if the right-of-way is granted. Berger says he's taking his time in winding his way through the Yukon and Territories, visiting the people and learning about their way of life.

The Canadian Arctic Gas consortium, has prodded Berger to hurry up. They see competition from the El Paso consortium as their greatest threat and they also want to get on with resource exploitation. The land rights question to them is a big headache and they insist the issue is none of their concern, but a matter between the federal government and the natives. Arctic Gas has said it is prepared to pay right-of-way fees to the land owners, but the natives insist on collective settlement and that before any development proceeds.

...thousands of acres, millions of bucks

Here is the prime example of the two pressures at work the stop and settle approach of native groups and the hurry and develop pressure from business and politicians.

Alberta: The Indian Association of Alberta (IAA) is taking legal action to stall the development of the Alberta tar sands until treaty rights are settled. Like the natives of the Northwest Territories, Alberta Indians are covered by Treaty No. 8. The Supreme Court of Alberta has ruled this is not a surrender treaty, so the Alberta natives are standing on their claim to this oil-rich land.

Harold Cardinal, head of the IAA, says any settlement in oil lands will mean splitting the federal export tax evenly amongst all Alberta bands. Cardinal points out that the annual welfare bill for natives in the province is $5 million and he sees exploitation of Indian oil lands as the way to self-sufficiency. Cardinal also wants the oil companies to pay royalties to natives for any drilling done on reserve land.

Saskatchewan: The recent decision to develop Poplar River as a thermal power site postpones the pressure of development on the Churchill River. But natives in the province are protesting the lack of consultation and the secret reports made in joint Manitoba-Saskatchewan studies of the river. Another power development on Elizabeth Falls, about 100 miles southeast of Lake Athabaska will flood existing reserve lands.

So Saskatchewan, like Manitoba, is in a similar position with native protest over hydro development. But in Saskatchewan, the scale of development is smaller, and pressure from the industry in the province postpones massive hydro development. There's also less pressure to export power to the U.S.

Like Manitoba, Saskatchewan natives are under the umbrella of treaties. The Prince Albert District Chiefs might be considered a parallel to Manitoba's Northern Flood Committees. They've taken up the native case in resource development. The organization is older and more established than the NFC in Manitoba.

And yet another headache in the Pandora box of native land claims—mounting evidence that some treaties were forged. In New Brunswick, two sizeable land claims have been made on this basis and near Edmonton, Alberta, another valuable piece of real estate is also claimed. Indian land ownership is complex—it's web of historical factors and half-answered legal questions. But now hand-writing experts and other documents show that some Indian agents apparently forged the x-marks the illiterate Indian leaders used to "sign" a treaty. There are about 85 land claims based on treaty forgeries now registered in Ottawa and another 400 claims are expected as natives research waht really happened during the hey-day of treaty making. The federal government has promised $7.5 million over the next four years to help bands research their grievances.

Another clause of the Indian Act is also under scrutiny—"release or surrender...shall be assented to by a majority of the male members of the band, of the full age of 21 years, at a meeting or council thereof, summoned for that purpose...". There is evidence that this procedure wasn't followed—and at least one affidavit signed by an Indian whose name appears on a treaty in spite of his insistence that he wasn't even there.

According to Phillip Mathias in a report in the Financial Post, 107 surrenders involving 700,000 acres of western land could be at stake.

The stand of Canadian Indians on the land issue was outlined in a 1973 position paper. It stated:

- The obligation to deal with Indian land claims is upon the federal government.
- There must be recognition of Indian claims in the non-treaty areas of Canada.
- Where Indians are still using and controlling the land, there must be no encroachment without Indian consent.
- If treaties are meeting adequate standards of fairness, then the promises must be recognized as they were understood by the treaty signers.
- There must be recognition of the obligation to restore or compensate Indians for loss of hunting, fishing and trapping rights.

The land settlements are a complicated mesh of historical fact and fiction, and unanswered legal questions. The unreavelling process will be tied up in Canadian courts for a long time to come. The stakes are high—witness the resource developers who want to get underway without any bother of land claims. For the Inidan and Inuit peoples, the stakes are equally high—maintenance of their title to land and at the very least, settlements that won't leave their way of life ravaged and no stake in the future.

On hundred years ago, the natives were thrust off the land for agricultural development and white settlement. Now, the same kind of pressures threaten the natives, only this time around, the cause is resource exploitation. There is a difference. Contact with the whites over the last century have taught the natives to be less trusting; to organize and fight through the white courts and bureaucracies to the advantage of the native cause.

And there is one tragic example to remember—the Metis. In 1870, the land rights of 6,000 Manitoba Metis were extinguished through their choice of $240 or 240 acres of land. Neither meant much to the roving Metis who had no realization of what had been lost and how little gained. The money was soon spent, the land sold. And so began, as Marcel Giraud said in his authoritative study **Le Metis Canadien**, one great and continuing tragedy.

Treaty and non-registered Indians with aboriginal claims stand on the same precipice. If they are not to fall off, it means a solid front and an insistent voice until the land issue is settled.

The government may think it's more sensitive to native wants and needs than it was 100 years ago. The problem is that governments—especially in the provinces, still think they know what's best for the natives.

by Marilyn Smith

Churchill power destined for other countries?

It has been repeatedly pointed out that the power from the Churchill Diversion – even assuming Manitoba Hydro's own unrestrained growth predictions – is not really needed until 1991. Developing the Nelson first, will give us power for the next 15 years at a cost that is not significantly higher, and, in fact, among the lowest in the world.

Given the enormous effects of diverting an entire river and the large controversy surrounding the development, one might expect the provincial government to use this lead time to explore, in public debates, hearings, and scientific impact studies, the viability of the project and of possible alternatives. This is the approach taken by the Saskatchewan government towards the development of the Churchill in that province. Although the program has been criticized as being only a sham, it still provides the possibility of public education and input on the development. Not so the Manitoba government.

Some have charged that the reason stems not from a misapprehension on the part of government that Manitobans need power, but rather from an intent to collect export dollars from the Churchill Diversion as soon as possible.

It has been an often-asked question whether the Churchill Development is really necessary to meet our power needs, or whether it is being undertaken primarily to generate the revenue from export.

It has not been a question of promoting narrow provincial interests over international co-operation—the government, itself, has been most emphatic that the power from the Churchill is vitally necessary for Manitobans.

Nuclear Engineering International is a magazine about nuclear power developments. In the June, 1974 issue, it carried an article describing a grandiose scheme for uranium production that involved Canada.

"To meet part of the large and increasing demand, Brinco Limited proposes to organize, build and operate a large-scale uranium enrichment facility in Canada, a nation particularly well suited for such a venture. Other organizations are also investigating Canada as the site of such a plant. It should be noted that the Canadian nuclear power programme is based on a reactor which does not require enriched uranium fuel, and thus an enrichment plant would supply export markets"

Brinco Limited is a large multi-national corporation dealing in energy.

(With large amounts of electricity normal uranium can be enriched to provide more energy release in a nuclear reactor. As the article points out, Canada's reactors use Plutonium and therefore cannot utilize the enriched uranium).

The Brinco plan calls for 18 enrichment plants across Canada. The enriched uranium would be shipped to markets in Britain, France, and the United States.

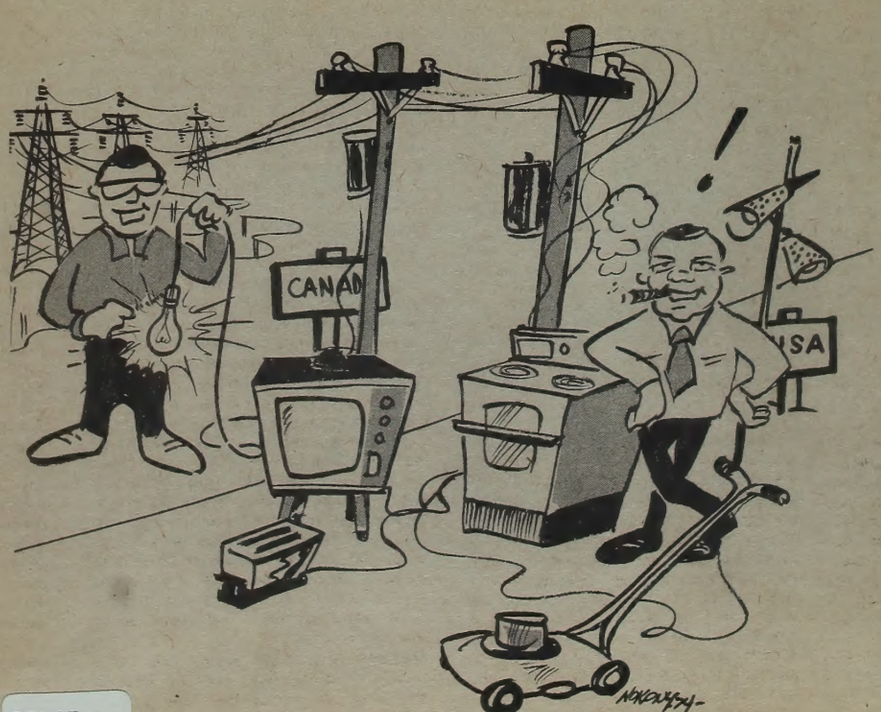
Because of the high energy requirements of the plants, many are located on major hydro power developments. Two are planned for the James Bay area.

And one is proposed for York Factory on the Nelson River in Manitoba.

Premier Schreyer was asked specifically in an August letter (see page 13) whether the provincial government was aware of these plans and whether any discussions or negotiations had taken place between Brinco and Manitoba

As of October 29, he has not replied.

by Nick Smirnow



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A kilowatt in every pot or what price cheap power?

Bob Haverlock is a member of the Inter-Church Task Force on Northern Flooding, a coalition of clergy from varied churches concerned about the Churchill Diversion's effects on the people of Northern Manitoba. He tells how the ICTF views the project.

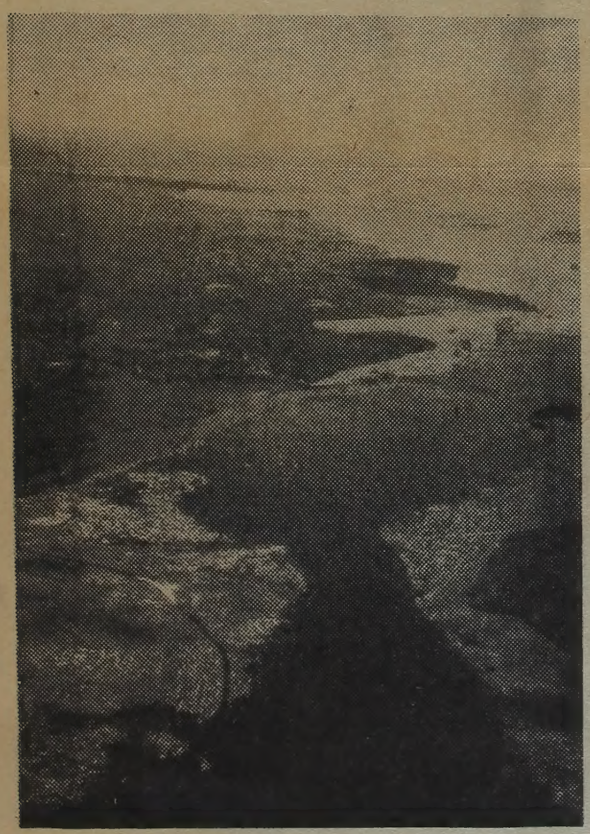
It's a bleak prospect finding your family helpless, looking out into a prairie snowstorm, with the electric motor on the furnace stilled, the stove worthless, the power off and the temperature inside dropping to that outside. Not a situation you would wish to be responsible for causing. And how is the potential disaster to be avoided except by insuring power a plenty? So the unspoken fears are ready to serve the arguments for more electrical power. Pretend that the anticipated needs are real needs; how are they to be met? (Now watch very closely the shell covering the pea. Watch as well, the sleight of hand expert.)

With all the water in Manitoba's north rushing here and flowing there, it seems sensible not to let it go to waste. So why not place some turbines in its midst, and put the water to work helping to generate electricity? No harm is done to the water passing through the turbines. Industries thrive. Cities are kept liveable. Everyone benefits. So why not? And, therefore, why not Manitoba Hydro's construction of the "Churchill River Diversion"? (Did you see how the hands moved and the pea disappeared?)

What becomes of the eight communities along the water systems affected? What of the people in these communities whose present and future directly depend upon the rivers and lakes involved? You will have noticed that when such a project is presented to the public, the talk is of millions of dollars and megas of watts and thousands of jobs. The fact that the employment offered to the northern people consists of mainly short-term jobs to flood their own homes and destroy their own or their neighbours' livelihood is left unmentioned. Besides, more people victimized is just a bothersome image. Whereas millions, megas and

"It is only through destroying or changing some part of mother nature where we find the effects in years to come, and those effects are the ones that people are concerned about; not the effect tomorrow...it's only after tens years that you find the real effect of meddling with mother nature. I think the Indian people in South Indian have a very good point but people aren't listening down south."

– Gordon Beard, Manitoba Legislature



assurances that "everything is for the best" (from officials who must know and care) are comforting sounds.

In January of 1969, hearings were opened to determine whether a license would be granted for the project. This was going to be a thoughtful democratic decision made after all viewpoints were presented. Before the second sitting, the government announced that the license had already been granted. But of course, the hearing would continue because the government was really interested to know what everybody thought. This badly staged event is characteristic of the provincial governments' continued attitude.

In 1972 when the Water Commission pointed out the folly of the construction, the chairman was fired and the Commission's powers were curtailed.

The pattern has been for the government to merely create the appearance of public participation.

Whenever there is any danger of the government's plans actually being altered the talks are delayed while the government policy proceeds because, after all, the time is short.

What is especially disheartening is this government's avowed concern for oppressed minorities, while it handily dismisses the communities' requests as not being those of the majority. The people of South Indian Lake, for example, were not even permitted the dignity of having their chosen legal spokesman recognized by the government. They were put off with the paternalistic advice about lawyers just being interested in their money and the lawyers speaking a language the people would not be able to understand. Meanwhile, the government had its own legal minds dictate the set-up for an unfavourably weighted compensation board.

What has further made the situation intolerable is the provincial government's withholding of information about the environmental and social impact of the project. This means that the people who are to suffer the effects of the flooding are only given the pre-selected information which is politically opportune. There is no genuine attempt to be open or candid on the part of the authorities, in order that people involved might participate in decisions about their lives.

Rather, the authorities' only concern has been to manufacture the least aggravated responses. From the official beginnings of the project, the powers have only released impact information one piece at a time so as to insure against unified opposition. The constant refrain to each dark revelation has been "We've spent this much money. We can't go back now."

Only this spring, five years after all this "unused water" was licensed to be harnessed, was it made public that a second northern centre was to be flooded—Nelson House. Since Nelson House is reserve land under federal jurisdiction, the provincial government is required to get permission for use of Nelson House Band property. The provincial government having made no such moves, it becomes apparent that their intent was simply to flood and then worry about compensation for trespassing. At this point, the federal government, to its credit, came to the support of Nelson House and the newly formed "Northern Flood Committee" consisting of the mayors and chiefs of the eight communities to be affected. The federal government will no doubt be under pressure to back down and to make some sort of trade with the provincial government. It is important for the public to keep a watchful eye to see that the federal government does indeed protect reserve land rights as it is charged.

The Northern Flood Committee deserves and needs your support as they continue to represent the views of the northern communities immediately effected, as well as try to keep the information flowing back into the centres. Financial support will help carry that on. The inter-church group has offered their resources to aid the NFC and is raising money to promote their work.

Footnote: The Inter-Church Task Force on Northern Flooding have felt that we, in the South, no less than those in the northern communities have a basis for calling this continued mis-use of power by government and Hydro into question. For each act has been done in "our name" as the public relations director (i.e. the propaganda director) for Hydro never tires of pointing out in his regular talks to school children and consumers...for Hydro is a servant of the people of Manitoba. It belongs to the "people of Manitoba."

We resent that such acts be done in our name and for our "well-being". **We can only say no to such irresponsible and irresponsive use of power and authority.** No government, no institution has any right to so misuse its presence. Although, there is no shortage of clowns who once they are given an office, a title and a salary, pretend to lordship—there is only one Lord. And he calls us toward justice, not toward power trips and paternalism.

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